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IRISH AFFAIRS  
AND THE  
RULE QUESTION



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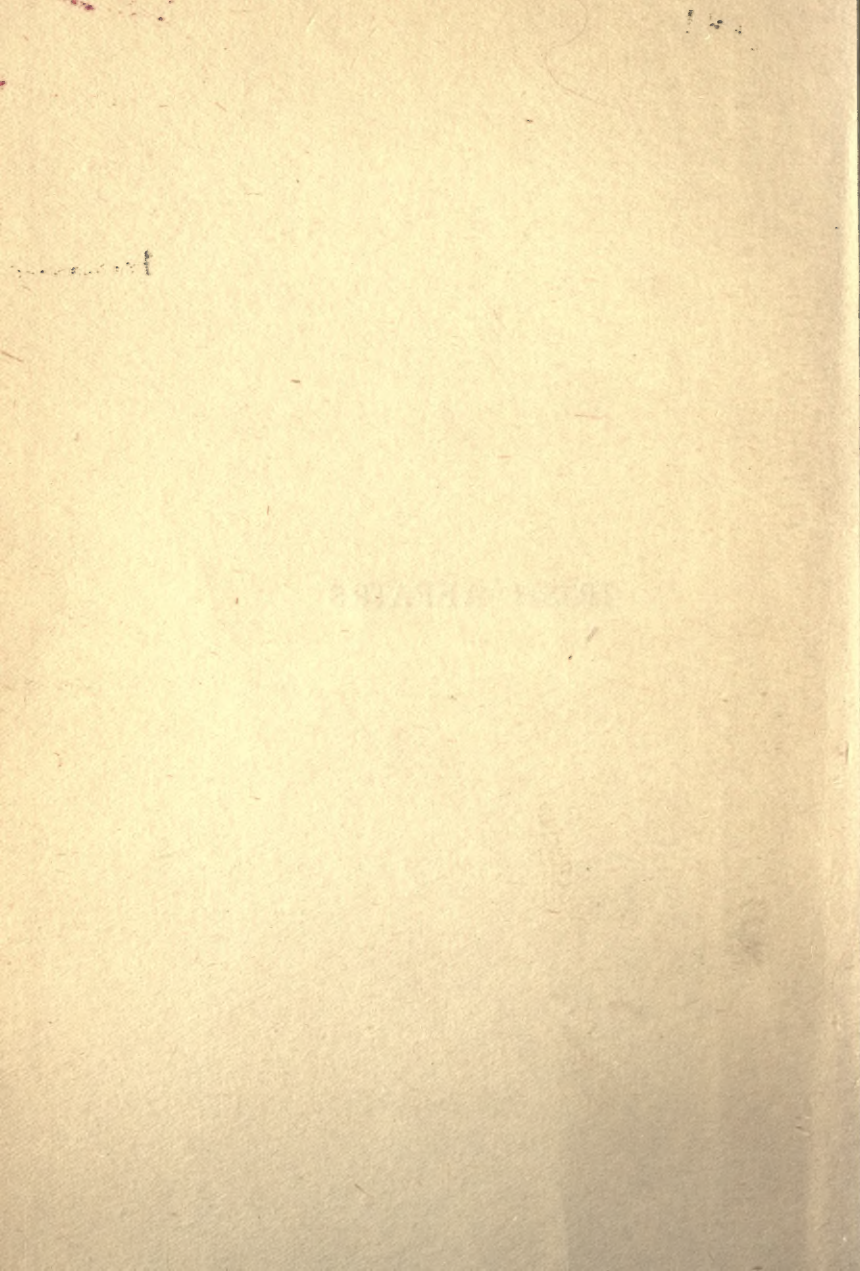








## IRISH AFFAIRS



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# IRISH AFFAIRS & THE HOME RULE QUESTION

*Ireland*  
A COMPARISON OF THE ATTITUDE OF POLITICAL PARTIES TOWARDS IRISH PROBLEMS

BY PHILIP G. CAMBRAY

WITH AN INTRODUCTION BY  
THE MARQUIS OF LONDONDERRY, K.G.

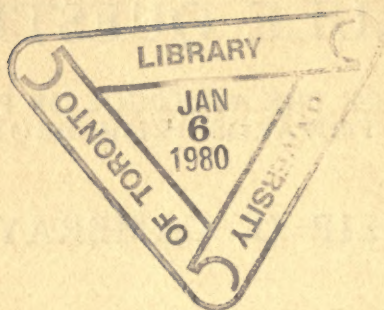


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## INTRODUCTION

BY THE MARQUIS OF LONDONDERRY, K.G.

I HAVE been asked by the author to contribute a few words by way of introduction, and I conclude that the request is made of me as an ardent Irish Unionist by conviction and birth.

As a relative of the Lord Castlereagh who was responsible for that great blessing to Ireland, and especially to Ulster, the Act of Union, I am by heredity an opponent of Home Rule. Experience and knowledge of Ireland as a former member for an Ulster constituency and, at a later period, as Lord Lieutenant have strengthened my opinion against Home Rule. Whatever progress and prosperity have come to Ireland—and of later years the advancement has been pronounced—they are due to the policy of Union. If it were broken, as the Home Rulers desire, ruin, bankruptcy, and not impossibly civil war might be the result.

From the financial point of view the statement laid before Mr. Gladstone in 1893 by the Belfast Chamber of Commerce proved beyond all doubt that his proposals were absolutely unworkable. To-day the financial obstacle is an even greater barrier to Home Rule, the Imperial Parliament

during the intervening twenty years having devoted much money towards remedying Ireland's grievances. The expenditure upon Ireland now exceeds her revenue, and the balance is preserved only by the assistance of the Imperial Parliament. If this financial position were the result of extravagance there would be no one to defend it ; but it is due only to the cost of the remedies which are being applied to cure Ireland's economic ills. It is universally admitted that these efforts are being successful ; but with Home Rule, expenditure upon such objects would have to cease altogether or be drastically cut down. What then would be the position if the pecuniary assistance of the Imperial Parliament were withdrawn, as it would be if Ireland were left to manage her own affairs ?

Home Rule, we are told by its advocates, is going to make Ireland prosperous. But in large measure the industrial and commercial progress of Ireland is the result of her close connection with British markets, and any policy which would weaken that connection will certainly not encourage but check Ireland's progress.

After all it is difficult to imagine how Home Rule is going to increase the rate of growth of Ireland's prosperity. Indeed, as the author of this volume shows, every test indicates progress. The larger deposits in the Savings Banks are the measure of the increasing wealth of the people ; and the record of remedial administration shows better housing and living and industrial conditions. There is in fact now a higher standard of life. But the task is not completed, and it would surely be a foolish act



deliberately to break off relations which have alone made these great improvements possible.

To-day Ireland's resources and industries are being developed, but want of capital is still felt outside the great industrial centres of Ulster. There it is available; but undoubtedly it would be withdrawn, where possible, if the revenue of that province were to be manipulated by the members of the United Irish League and Ancient Order of Hibernians sitting as a majority in the Dublin Parliament.

What too would be the position of Loyalists and Protestants in Ireland if they were to be governed by a Nationalist assembly? They are now being told that they would receive the greatest toleration. They heard the same assurances at the time of the passing of the Local Government Act. Outside of Ulster to-day the Unionist county councillor is practically extinct, and the proscription of Unionists has been a matter upon which Home Rulers have congratulated themselves. After such experience what surprise can be felt when the Unionist minority shows itself indisposed to regard seriously the present promises of generous treatment from their opponents in a Home Rule Parliament? Again, the loyal minority have not forgotten the former threats of the Nationalist Party which the members of that body would wish to be ignored now. Mr. Dillon said on one occasion: "When we come out of this struggle we will remember who were the people's friends and who were their enemies, and deal out our reward to the one and our punishment to the other." Other Nationalist

leaders have uttered similar menaces: and Irish Unionists fear that if they are placed under a Nationalist Parliament their opponents will not neglect to make good these warnings.

In their hour of danger Irish loyalists appeal to the fair-minded people of Great Britain, as they did in 1886 and 1895, not to surrender them to the Nationalists. The results of the elections on those occasions showed that the appeal was not in vain. The difficulty is, as they know, to rouse the people of Great Britain to realise the immediate danger which confronts them. Interested parties are actually engaged in minimising the effect of Home Rule: and since the last struggle a new generation has arisen without personal knowledge of the Separatists and their aims. They must, however, be taught to recognise the evil results of that policy. It is a big task, but it was carried out before, and I do not doubt but that the Irish loyalists will again bring it to a successful conclusion. They are fighting for their individual liberty and for the welfare of their country: and with such issues at stake they will spare themselves nothing to achieve their great object to defeat the forces opposed to them.

I cannot but think that all who read this volume will find in it ample material to convince them of the impracticable, injurious, and inopportune character of the Home Rule demand; and I trust that they will pass on the knowledge they may have gained to others.

## PREFACE

I HAVE endeavoured in this volume to place in a handy form some of the many facts and arguments against Home Rule. There is already in existence a considerable number of volumes presenting the case from the Irish Nationalist standpoint; but on the Unionist side there has been no corresponding activity. The Unionist publications of 1886 and 1893 are still valuable—especially Professor Dicey's books on the constitutional aspects of the question—but they necessarily present an incomplete picture in view of the many changes and improvements in Ireland since 1895. The present volume has been prepared with the object of meeting this want, and I trust that it will be received in that sense.

My thanks are due to Lord Londonderry for so kindly contributing an introduction, and to many friends in Ireland and elsewhere who have so generously given of their time in reading the manuscript, and of their knowledge in assisting me to reach definite conclusions upon many disputed points.

I need hardly add that I am alone responsible for the opinions expressed in the following chapters.

P. G. C.

*March 1911.*





# CONTENTS

	PAGE
INTRODUCTION . . . . .	v
By the MARQUIS OF LONDONDERRY, K.G.	
PREFACE . . . . .	ix
CHAPTER	
I. THE HOME RULE QUESTION TO-DAY . . .	I
II. HOW IRELAND IS GOVERNED . . . .	12
III. THE CONTROL AND COST OF IRISH AFFAIRS	27
IV. WHAT IS MEANT BY "HOME RULE" . . .	42
V. HOME RULE—GREAT BRITAIN AND THE EMPIRE . . . . .	66
VI. WHO ARE AGAINST HOME RULE . . . .	85
VII. WHO ARE FOR HOME RULE. . . . .	109
VIII. LAW AND ORDER . . . . .	142

CHAPTER	PAGE
IX. THE LAND PROBLEM . . . . .	172
X. THE ACT OF 1903 AND AFTER . . . . .	197
XI. THE BRIGHTER SIDE . . . . .	215
XII. THE OUTLOOK IN IRELAND . . . . .	239
INDEX . . . . .	255





# IRISH AFFAIRS

## CHAPTER I

### THE HOME RULE QUESTION TO-DAY

AT the General Election of 1906 few Liberal candidates concerned themselves with Home Rule. It was not repudiated by the Liberal Party for all time; but their leaders ruled it out of the programme of immediate legislation in the next Parliament. Home Rule was not to be part of their policy. At the same time Liberals declared that they had not gone back upon the spirit and aims of Mr. Gladstone's policy. Home Rule was even said to be a "sacred duty" for the Liberal Party, and "not a matter of expediency"<sup>1</sup>—a declaration that appeared somewhat to savour of hypocrisy when there is remembered the careful balancing which enabled Ministers to satisfy Mr. Redmond, and, at the same time, describe Home Rule as "a boggy" to Unionist Free Traders.

The task before the Liberals was so to restrain their enthusiasm for Home Rule that Unionist Free Traders would not take fright, and at the same time to show a practical sympathy with Mr. Redmond's demands to an extent that should secure them the Irish Home Rule vote in Great Britain. Hence the birth of the "instalment policy," by which the "larger policy" of Home Rule was to be attained

<sup>1</sup> Lord Loreburn, House of Commons, February 3, 1904.

by degrees ; with the understanding that the first and immediate step was not to be so pronounced a concession that the Unionist supporters of the Liberal Government should feel themselves inconvenienced. The uncertainty thus created served the Liberal purpose. Unionists and Home Rulers alike supported the Liberal Party. For the edification of the former Home Rule was declared to be a boggy ; whilst the latter were not rebuked when they asserted that every vote given for a follower of Sir Henry Campbell-Bannerman was a vote for Home Rule.

To fulfil their pledge to Mr. Redmond the Government in 1907 introduced the Irish Council Bill. It was the first instalment leading up to the "larger policy." Its merit, from a Unionist point of view, was that it awakened into enthusiastic activity the sleeping forces of opposition to Home Rule ; its defects, from the Irish Home Rulers' standpoint, were so pronounced that at a National Convention they forced Mr. Redmond to reject it.

The desire of the Liberal Government to wipe out Ireland's grievances may be gathered from their inaction after the defeat of the Irish Council Bill. No other measure dealing with Irish government was introduced. The "instalment policy" was not tried again ; and, since Mr. Asquith's Albert Hall speech, has been officially abandoned. Dissatisfaction followed the fiasco of the Irish Council Bill. Mr. Redmond was not popular in Ireland. There was an impression that he had been badly duped. He and his colleagues set out to re-establish their influence by "a virile movement to win full national self-government." There followed a campaign of meetings in Ireland and Great Britain, at many of which Mr. Redmond himself spoke. The effect produced was not at all commensurate with the energy and money expended. Discontent with the Irish Nationalist leaders manifested itself in con-

tinued attacks on Mr. Redmond, in resignations of honorary officials, and in dwindling subscriptions : in Great Britain the Irish Nationalist campaign failed to disperse the general apathy of the electors towards Home Rule. Even Mr. Winston Churchill, in the throes of a by-election at Manchester, could not create more than a momentary interest in the subject, though he publicly bargained away the Prime Minister's liberty of action for Irish Nationalist votes.

Let it not be thought that this indifference indicated a weakening of British opposition to Home Rule. Far from it. The electors declined to be interested because they refused to believe that the Government were in earnest. While Mr. Redmond was threatening indifferent, if not hostile, Ministers with his disfavour and opposition if Home Rule were not included in the Liberal programme at the forthcoming election, events were progressing towards a situation when Mr. Redmond should command and not beseech. Liberal necessity was his opportunity. When exactly the Irish Nationalist leader conceived the idea of abandoning his opposition to the Budget in return for a pledge from the Liberal Government of Home Rule in the next Parliament is uncertain. In May 1909 he was still only venturing to call upon the Liberal Party by all their past pledges and great principles to put Home Rule into their programme. Five months later, in October, the Irish Nationalist leader was declaring that Home Rule "shall and must be" amongst the leading issues of the election. Between October, when Mr. Redmond was still demanding a declaration, and December 10, when the Prime Minister obliged him, two events had happened. The Irish Nationalists had so far modified their earlier opposition to the Budget as to abstain from voting against it on the third reading, and the House of Lords by declining to pass it had made a General Election

#### 4 THE HOME RULE QUESTION TO-DAY

inevitable. Engaged in a tremendous struggle, it was not surprising that the Prime Minister attempted to secure for his Party the Irish Nationalist vote. Whether the Albert Hall declaration was as vague as to the time and order of the application of the Home Rule policy as the *Freeman's Journal*<sup>1</sup> acknowledged, or as clear and specific upon these two points as Mr. Redmond declared it to be,<sup>2</sup> can only be conjectured. There have been misunderstandings on the precise meaning to be attached to the Prime Minister's speeches in connection with other matters, and few students of the English language will be found to assert that the Albert Hall declaration cannot be quite easily interpreted as only an academic declaration in favour of Home Rule or as a definite promise to introduce such a measure upon an early occasion.<sup>3</sup> Mr. Redmond, however, as might be expected, allowed little time to elapse before publicly explaining the declaration as a clear promise of a Home Rule Bill. Obviously that was his policy; he had to make the most of it to gain credit among his Irish followers. In Dublin on December 15 he said that the Prime Minister's words were a promise to proceed with Home Rule immediately the veto of the House of Lords was abolished. And again and again throughout the General Election Mr. Redmond and his colleagues repeated their belief in

<sup>1</sup> December 15, 1909.

<sup>2</sup> Dublin, December 15, 1909, and speeches during the Election.

<sup>3</sup> Mr. Asquith said: "The solution of the problem can be found only in one way—by a policy which, while explicitly safeguarding the supreme and indefeasible authority of the Imperial Parliament, will set up in Ireland a system of full self-government in regard to purely Irish affairs. There is not, and there cannot be, any question of separation. There is not, and there cannot be, any question of rival or competing supremacies, but subject to these conditions, that is the Liberal policy. For reasons which I believe to have been adequate, the present Parliament was disabled in advance from proposing any such solution; but in the new House of Commons the hands of a Liberal Government and of a Liberal majority will in this matter be entirely free."—Authorized edition, p. 7.



the clear, definite, and specific character of the Prime Minister's words. Doubts were thrown on the accuracy of this reading by the Chief Liberal Whip's denial that the Liberal Party were under any pledge to grant Home Rule. They were, he said, only "free" to do so if they desired. The Prime Minister<sup>1</sup> at Leven, on January 18, less bluntly asserted the freedom of his Party on the subject; but declined to promise any specific legislation in the next Parliament upon Home Rule and other matters. Mr. Redmond, to the amusement of most politicians, affected to find in this official gloss on the Albert Hall declaration not a modification but a reiteration of the Prime Minister's pledge. His real feelings were perhaps better shown by his indignant utterance that he would like to see the Liberal Party, whatever its majority, that would dare to deny to Irishmen the right to Home Rule.<sup>2</sup>

Mr. Asquith's return to office dependent upon the Irish Nationalist vote perhaps prevented the controversy which would have occurred over this disputed meaning of the Prime Minister's pledge. He was not a free agent; and Mr. Redmond quickly seized upon his helplessness to reiterate and emphasise that Mr. Asquith was pledged to introduce a Home Rule Bill. The Prime Minister's declaration, he said, was that full Home Rule, full self-government for Ireland was the policy of the Liberal Government and the Cabinet, and the policy of the Liberal Party, and that Mr. Asquith claimed from the electorate a mandate to justify him in producing

<sup>1</sup> It is perhaps indicative of the Prime Minister's attitude that he omitted any reference to Home Rule in his election address, and never freely referred to it in his speeches. The Scottish heckler is responsible for Mr. Asquith's compulsory expressions of opinion. The Prime Minister once explained his silence by saying that he would talk about something "more interesting" than Home Rule. It would perhaps be uncharitable to assume that he meant something less inconvenient.

<sup>2</sup> Dublin, January 21, 1910.

a Home Rule measure in the new Parliament.<sup>1</sup> Mr. Redmond added that it was inconceivable that the Prime Minister should now waver in his purpose or palter with his pledges. Mr. Redmond gave his victim an alternative. If Home Rule were put on one side he would fight the Budget. If it were a question of the Budget and Home Rule he would accept the Budget. The Budget was the price he was ready to pay, but not for nothing. The veto resolutions had to be pushed forward; and a crisis precipitated if the House of Lords declined to pass them. It was perhaps surprising to find Mr. Redmond placing such great stress upon the passage of the veto resolutions. It is explained by his repeated declarations that he regarded the abolition or limitation of the veto of the House of Lords as tantamount to the granting of Home Rule to Ireland. In the end Mr. Redmond agreed to support the Budget, and it became law. Under what conditions or upon what understanding, if any, has not been made public. Whatever arrangement was come to, the death of the King brought the normal course of public affairs to an end. Instead of a fierce conflict over the Parliament Bill there was a truce whilst the Conference endeavoured to reach an agreement. Parliament adjourned to meet in the autumn. Mr. Redmond in public speeches at Kilkenny and Limerick during the autumn reminded the Prime Minister that his declaration was not in favour of Devolution, or Home-Rule-all-round, but "full self-government for Ireland." Whilst the Conference was still in being the Irish Nationalist leader left Ireland to attend the Convention of the United Irish League in America, and to tour that country for dollars to replenish the Irish Nationalist Party's treasury. At the time of his departure there were indications

<sup>1</sup> Dublin, February 10, 1910.

of the beginning of a Radical campaign in support of Home-Rule-all-round. There were somewhat vague utterances by Ministers, and inspired paragraphs and articles in the Press. The Conference was said to be considering some scheme of Federal Home Rule. The publicity the subject attained suggested concerted and agreed action. To what extent Mr. Redmond had knowledge of this movement is disputed. Certainly there was nothing in his earlier speeches in America to suggest any change in his demands. They followed along the old lines, except that they were pitched in a high key of confidence in the early triumph of the Home Rule cause. Whether the Conference agreed or failed, Home Rule was said to be certain. Indeed, Mr. Redmond's advocacy of the Federal solution was limited to a declaration at the New York Press Club, the reports of which leave it doubtful whether he supported the Federal scheme or not, and to an interview in the London *Daily Express*,<sup>1</sup> which was repudiated, but not until eleven days after its publication. Significant as this interval was, it was perhaps made even more so by the fact that the repudiation was not made public until after Mr. Dillon in Ireland<sup>2</sup> had explicitly declared that there had been no lowering of the flag in America, and no statement made by Mr. Redmond in the slightest degree inconsistent with the settled policy of the Party on the National question. In none of his subsequent speeches did Mr. Redmond give utterance to any opinions to which Irish Nationalists could take exception. Indeed, after Mr. Dillon's speech he took pains to put himself right, giving an interview to a Press representative at Chicago in which he declared, "I stand on the question of Home Rule precisely where Parnell

<sup>1</sup> October 5, 1910.

<sup>2</sup> October 16, 1910.

stood. I have not receded, and never will recede one inch from the position he took up."<sup>1</sup>

Whilst, to adopt his own phrase, Mr. Redmond soon toed the Nationalist line again, it was very different with his lieutenant, Mr. T. P. O'Connor, M.P. To him had been assigned the task of stumping Canada; and, casting aside the declarations made the year before in the United States in favour of Irish Nationality,<sup>2</sup> he broke out into the most fervid Imperialism. He posed before loyal Canadian audiences as a missionary of Empire, preaching Federalism and Home-Rule-all-round,<sup>3</sup> declaring it to be libellous to suggest that Irishmen were disloyal, and asserting that his own personal regard for England was so great that he would plead for her if she had not a friend left in the world.<sup>4</sup> Throughout the whole of his tour he maintained this Imperial tone, to the amusement of Irish Unionists and to the indignation of some Irish Nationalists. While Mr. Dillon asserted Mr. Redmond's innocence of lowering the Nationalist flag, he maintained a complete silence upon Mr. T. P. O'Connor's utterances. Entirely inconsistent with and contrary to the recognised Nationalist attitude in Ireland or the United States, they have been quietly ignored by Nationalist leaders, just as other Imperialist speeches of Irish Nationalists in British Dominions, couched in the same tone, were passed over without explanation. They served their purpose, and the subscriptions which they procured have none the less been placed to the credit of the Irish Nationalist fund, to be used for the furtherance of a policy entirely opposed to Imperial Home Rule. Of the morality of this transaction nothing shall be said. The contributors to the fund may be left to

<sup>1</sup> *Cork Examiner*, October 19, 1910.

<sup>2</sup> See pp. 60-1.

<sup>3</sup> See *Freeman's Journal*, October 5, 1910.

<sup>4</sup> See *Irish Independent*, October 5, 1910.



their own reflections. Mr. T. P. O'Connor was in fact only conforming to the usual policy of the Irish Nationalists, who have long recognised that only loyalty pays when money is wanted from the Dominion, just as they know that loyalty does not pay when Irish American pockets have to be touched.

Before Mr. Redmond had returned to Ireland, indeed whilst he was actually on the sea, the public announcement of the failure of the Conference was made. He returned to find that Home Rule by agreement was impossible and that he would have to fight. There was a short Autumn Session, not allowed to conclude before the announcement of an immediate Dissolution. Mr. Redmond, with a full treasury, faced a Wexford audience with the declaration that the election was, above and beyond all else, an Irish election, and, he added, whatever happened in the election, Ireland stood to win.<sup>1</sup>

The Prime Minister, in a speech at Hull, opening the Liberal campaign, dismissed the subject in a general reference to Home Rule, Welsh Disestablishment, licensing, and education. They were, he said, causes upon which he had dwelt at the Albert Hall a year before; and to everything which he then said upon those questions he still adhered. He made no declaration of his intention to pass a Home Rule Bill into law in the next Parliament; and the reference in the Albert Hall speech was, as has already been mentioned, vague both as to the time and order of a Home Rule Bill. In his election address, published a few days later, no mention was made of Home Rule. The appeal to the country was indeed described as being "almost narrowed down to a single issue." In none of his speeches in England did Mr. Asquith disclose his intentions with regard to Home Rule. Notwithstanding this silence Mr. Redmond maintained his optimistic

<sup>1</sup> Wexford, November 27, 1910.

attitude. His boasts may have been made with a knowledge of the Prime Minister's intentions which was not in the possession of the public, or with the sure and certain recognition of his power to make the Government "toe the line." Events, however, showed that he was correct. On December 7 Mr. Asquith opened his campaign in his own constituency of East Fife. In his first speech to his electors he made no reference to Home Rule; to a heckler, however, he disclosed his intention of granting to Ireland a measure of Home Rule if the Liberal Party were returned to power on that occasion. It was the first definite declaration of the intention of the Government in the next Parliament in respect of Home Rule. Mr. Asquith would have it regarded as purely a repetition of the declarations made at Hull earlier in the campaign. It is difficult to look upon it in that light. Indeed it was not so regarded by Mr. Redmond, who triumphantly quoted the Prime Minister's reply as fully justifying his previous boast that "all was well with Home Rule."<sup>1</sup>

It may be no more than coincidence that Mr. Asquith's announcement was made when the possibility of an independent Radical majority had vanished; but it is surely a real grievance that before it could have had even a day to be appreciated by the country no less than 441 members of the new House of Commons had been returned.

The declaration has in the eyes of Liberals and Irish Nationalists made a Home Rule Bill a certainty in the immediate future. Unionists would be unwise to rely upon unforeseen events preventing that measure being introduced. Their duty, as opponents of Home Rule, is to educate the country to an appreciation of its danger to Great Britain and its injury to Ireland. The Home Rule Bill is to

<sup>1</sup> Rathmines, December 8, 1910.

come after the Parliament Bill is on the statute-book. There will be then no Second Chamber to suspend the Bill until the people have declared in its favour. Once through the House of Commons it goes after a short delay to the steps of the Throne. No legal barrier can retard its progress. There is, however, the moral obstacle of public opinion, and it is for the Unionist Party to raise up such an outcry against Home Rule that the Government shall fear to force it on the country in the face of declared and overwhelming hostility.

## CHAPTER II

### HOW IRELAND IS GOVERNED

How is Ireland governed? A knowledge of the present system is an essential preliminary to a study of the Home Rule question. An Irishman would probably assert that "the Castle" governs Ireland. And an inquirer would most likely hear a violent denunciation of Dublin Castle and all its works. Home Rulers encourage the belief that the officials in the Chief Secretary's and other offices which are housed within the walls of Dublin Castle are responsible for all the evils with which Ireland may be afflicted. The "Castle" is depicted as being wholly engaged in exercising a fiendish ingenuity in concocting plans for thwarting the happiness and desires of every true Irishman; and the prospect is held out that if only Ireland had Home Rule there would be no more grievances or cause for complaint. The picture is an entrancing one. Whether the Irish people really believe in its possibility is doubtful. Certainly they have found that even in the case of the Congested Districts Board, where Irish representatives have a free hand, individuals do not always secure all that they want; and human nature in public departments being what it is, there is little prospect of the millennium for the Irish people under Home Rule. Let not too much attention be paid to the attacks on "the Castle." In every country a Government



Department is held responsible for the grievances under which the individual citizen suffers, or as the obstacle to every concession he desires to be granted. In England the Treasury occupies that unenviable position: in Ireland it is "the Castle." It is denounced: and like other Government departments will always be denounced. But from these criticisms there is no reason to deduce arguments for Home Rule.

"The Castle" is the centre of Irish administration, and the head of the Irish administration is the Chief Secretary to the Lord Lieutenant of Ireland. He is a member of Parliament and frequently, but not always, a member of the Cabinet. He has three colleagues in the House of Commons to assist him—the Attorney-General, the Solicitor-General, and the Vice-President of the Department of Agriculture and Technical Instruction.<sup>1</sup> The Irish Lord Chancellor also changes, as in England, with the Government. He may be a Cabinet Minister, with a seat in the House of Lords; or be, as at present, more a lawyer and less a politician.

The Lord Lieutenant represents the Sovereign; and although the occupant changes with the Government, he is not during his term of office closely identified with political activities either on the platform or at Westminster. He performs the administrative functions attached to the Sovereign, and also undertakes the social and court duties which fall to the monarch in England. Proposals have been put forward from time to time for the abolition of the Lord Lieutenancy. They have not emanated from one party only. Other suggestions have been made for changing the conditions of tenure to those under which the Governors of British Dominions hold their appointments. The

<sup>1</sup> The present holder of this office is without a seat; but the intention was that it should be a Parliamentary office.

Lord Lieutenant, like all threatened institutions, still survives attacks: and in Dublin still maintains a court and royal state. It seems a moot point whether Unionists might not agree to the Nationalist demand for the abolition of the post, since it would then make the Union between Great Britain and Ireland more pronounced. Its continuance is an outward and visible sign of Ireland's previous existence as a separate entity. Whatever reasons there might have been at a previous time for a Lord Lieutenant, when communication with the Government at Westminster was often slow and uncertain, now, in the day of telephone, telegraph, and turbine, they cannot exist.

As in England so in Ireland all the detail work of administration is carried out by permanent officials; and if some of the departments have a status more independent of a political head than in England, it will usually be found that that policy has been deliberately adopted to meet special Irish conditions.

Much Nationalist humour has been expended on the present system of Irish Government. Nationalists have calculated that there are something like sixty-seven departments administering Irish affairs.<sup>1</sup> Other Nationalists, more moderate, place the number at forty-three.<sup>2</sup> Even Mr. Birrell poked fun at the Boards when introducing the Irish Council Bill, though he afterwards confessed that he could have spent the time to better advantage. For Home Rulers the cry of the "sixty-seven departments" makes an admirable platform point. It suggests lack of co-ordination and efficiency which Home Rule could cure. Under examination it is reduced to proper proportions; and to show how little there

<sup>1</sup> Dunraven, *Outlook in Ireland*, pp. 152-4, quoting from *The Nationalist*.

<sup>2</sup> O'Donnell, *Ireland and the Home Rule Movement*, p. 7.

is in the cry it will be useful to analyse and rearrange the sixty-seven departments according to their importance and possibility of being subject to Parliamentary criticism.

Seven departments given separately in the list are, for administrative purposes, placed under the authority of the Vice-President of the Department of Agriculture and Technical Instruction, who should directly represent them in Parliament. These subordinate offices of the Department are the Irish Fisheries Office, the Veterinary Department, the College of Science, the School of Art, the Science and Art Museum, the Irish Branch of the Geological Survey, and the National Library.

The Chief Secretary is himself responsible for his own office, the General Prisons Board, the office of Reformatory and Industrial Schools, and the office of the Inspectors of Lunatic Asylums, the Constabulary, and Criminal Prosecutions. It would not be incorrect to lump these together and to call them by the one name of the Home Office, inasmuch as these duties correspond to those performed by the Home Secretary here. The Chief Secretary, too, answers in Parliament for the Local Government Board, of which he is President: and it is customary for him to take considerable interest in the work of the office, "the papers" being sent to him.<sup>1</sup>

Much ink and oratory has been expended on the position of the independent or semi-independent boards which the Chief Secretary cannot control, but with the work of which he should, for Parliamentary purposes, be acquainted. It is alleged that he has to act as the mouthpiece of these departments, repeating whatever answer they like to give him in reply to questions at Westminster, and having no knowledge of the facts or power to alter the answer. To use the official phrase, "the

<sup>1</sup> Barry O'Brien, *Dublin Castle and the Irish People*, p. 140.

papers" of these departments are not sent to the Chief Secretary.

The offices to which these references are made are the Board of National Education, the Intermediate Education Board, the Congested Districts Board, and the Land Commission (which the ingenious compiler of the list of sixty-seven departments has expanded into three—the Land Commission, the Estates Commissioners, and the Public Trustee). Consideration of their duties will show that there were and are very good reasons for not placing these Departments directly under a Parliamentary chief.

Before examining the position of these Boards it will be convenient to continue the analysis of the list of sixty-seven departments.

It is necessary to rule out a number of departments in the list as not Irish departments at all, but Irish branches of departments of the Imperial Government. These are the Board of Trade, the Customs, the Inland Revenue, the Stationery Department, the Post Office, the Civil Service Commission, the Treasury Remembrancer's Office (the Treasury Pay Office for Ireland), the Ordnance Survey, the Factory Inspectors, the War Office Auditor's Office, Royal Naval Reserve Office, Woods and Forests, Joint Stock Companies Registry Office, and the Registry of Friendly Societies. This accounts for fourteen departments.

Since the Exchequers of the two countries have been amalgamated, certain departments in Ireland are represented in Parliament by Treasury Ministers. These are the Valuation and Boundary Survey, and the Board of Public Works. The Treasury too is, as in England, responsible for the votes for the Law Courts. The enterprising compiler of the list of "sixty-seven" departments has counted every branch of the Law Courts as a department, and, by so doing, made them figure as fifteen departments!



In another batch of fifteen departments there is little likelihood of Parliamentary interest being shown. They comprise the National Gallery, the General Registry Office, the Office of Arms, the Public Record Office, etc.; and others like the Irish Lights Commission, and the Public Loan Fund Board, which are not Government departments at all, and have no income derived from Parliamentary Votes.

The investigation shows that the important Irish departments, far from numbering sixty-seven or forty-three, are as follows:

- Home Affairs (Police, Lunatics, etc.).
- Local Government Board.
- Public Works Board.
- Primary Education Board.
- Agricultural Department.
- Congested Districts Board.
- Land and Estates Commission.

A comparison of Irish with English and Scottish administration proves that the system of government in all three parts of the United Kingdom is approximately the same. True, there are departments in Ireland of which no counterpart can be found elsewhere—the Land Commission and Congested Districts Board. They have been called into existence for the special purpose of carrying out ameliorative legislation, and their particular work could not be imposed upon an ordinary public department.

A further myth of Nationalists is to assert that the Chief Secretary is himself responsible to Parliament for the forty-three departments,<sup>1</sup> with the business of which he cannot possibly become acquainted. Mr. Birrell is accustomed to make use of this argument. Self-depreciation is the last

<sup>1</sup> O'Donnell, *Ireland and the Home Rule Movement*, p. 7.

thing one would expect of a politician; but as a Home Ruler the attitude is perhaps not so surprising from the Chief Secretary. He is not above helping to strengthen this argument for Home Rule. If the statement were true, the position would be ridiculous. No Chief Secretary, however efficient or hard-working, could have the capacity or time to cope with the task. In practice, however, it will be found that the load on the Chief Secretary's shoulder is not so burdensome.

The departments for which the Chief Secretary has Parliamentary responsibility, and concerning which questions are asked or discussion raised in the House of Commons with any frequency, do not in practice number more than five:

Local Government Board.

Public Education (Primary).

Land Commission and Estates Commissioners.

Police and Prosecutions (questions often answered by the Attorney-General).

Congested Districts Board.

Perhaps the Intermediate Education Board may be added. Here is a considerable falling off from the forty-three or sixty-seven departments of Nationalist imagination. Had the Home Rulers been less anxious to score a point and more desirous of dealing with actual conditions, they would never have allowed the story of the numerous departments to appear in print.

It has already been acknowledged that there are concerned with Irish affairs certain departments over which the Chief Secretary and the Irish Government do not exercise supreme control. These semi-independent or independent boards are the subject of ridicule by every Home Ruler. But consideration of the circumstances surrounding their establishment and of the duties they are

called upon to perform shows that the policy of independence was deliberately adopted to meet Irish conditions. Of this one may be perfectly sure—that if proposals were made to place any one of these departments under a Parliamentary chief who should alone direct and be responsible for its policy the loudest complaints would be heard from the Irish Nationalist benches in the House of Commons.

There are four important departments which it is alleged are more or less independent of Parliamentary or Government control. Two deal with educational administration—the Board of National Education and the Board of Intermediate Education.

Primary education in Ireland presents many differences from the English system. In Ireland there are no local education authorities and no rate-aid. The whole cost comes from the taxes, and the administration and inspection is carried out directly from Dublin. The detailed business of each school is under the control of private managers, much after the system existing in voluntary schools in England and Wales before the Education Act of 1902. While the position of the Board is somewhat contrary to the usual system, in practice it seems adapted to meet Irish conditions. Receiving Parliamentary grants, the Chief Secretary is answerable for the Votes. With the framing of the Estimates he has no concern, but they have to meet with his approval before being submitted for Treasury sanction. The Chief Secretary may advise that such sanction be withheld in respect of any item or items, or he may recommend increases. He can also suggest to the Board subjects for consideration which involve increased expenditure. Also the annual report cannot be presented to Parliament without first obtaining the approval of the Chief Secretary. It

is not, therefore, correct to say that the Board is independent of Parliament or the Government. There is an amount of Government authority over the actions of the Board which secures necessary supervision over policy, and the Board have moreover voluntarily restricted their power by a regulation which provides that "no fundamental rule"<sup>1</sup> shall be altered without the approval of the Lord Lieutenant. Even in England and Wales the Parliamentary head of the Education Office has found himself troubled by religious differences; in Ireland, where the system is wholly denominational, religious differences are even more acute. And this may be safely said, that no Parliamentary head of the Irish Education Department could be found to give satisfaction to all creeds in Ireland. Consequently the present system, which has existed, with some modifications, since 1831, was established to meet this condition. Twenty Commissioners, appointed by the Lord Lieutenant, one half being Catholics and the other half Protestants, with a resident commissioner, now control the detailed administration. The Catholic Bishops have declared that the Board has improved and widened its educational work year by year, and, broadly speaking, has removed religious strife and contention from the primary schools.<sup>2</sup> Public control as in England is, as Mr. Birrell admitted,

<sup>1</sup> The Commissioners consider that their fundamental rules may be classed as follows: (1) Those rules which protect the children from interference with their religious opinions. On the faith of these rules parents send children to the National Schools. (2) Those rules which entitle the pastors to give religious instruction to children in Vested Schools. (3) Those rules which regulate and confirm the rights of the patron and the succession in case of a vacancy. (4) The rules which give to managers the right to use the schools, or to the public the right to visit them in order to see that they are properly carried on.—*House of Commons Paper* No. 6 of 1870.

<sup>2</sup> Declaration from Maynooth, October 12, 1904.



not the solution for Ireland.<sup>1</sup> The conditions may be deplored, but cannot be ignored. The present system may not seem perfect to the educational expert, but it is at any rate preferable to changes which might lead to a renewal of religious strife. Mr. Birrell experienced the difficulties that beset the reformer. His Irish Council Bill proposed to place the control of education under the new Irish Council ; but the suggestion failed to gain approval. The Catholic Bishops could not approve because the Council would be entirely composed of laymen, and the Protestants opposed it because the Council would have a permanent Catholic and Nationalist majority.

In its earlier years the Board was involved in religious controversy with the supporters of the various creeds in Ireland, sometimes one and sometimes another :<sup>2</sup> it was attacked too for displaying an anti-national spirit by excluding items of literature and music which conveyed to the children sentiments then thought undesirable. In its educational aspect too it was charged with backwardness. Of late matters have improved ; the salaries of teachers have been increased ; educational equipment has been revised. The great barrier to educational efficiency is the number of small schools, which seem to be necessary for special Irish conditions. Education is, however, no longer the object of fierce religious dissension. This indeed should be remembered in the Board's favour ; and even though it may still be criticised and attacked, its peculiar position and difficulties should be recognised. It has to hold a balance between parties whose religious differences in earlier times led to deplorable strife. It has taken off the bitterness of that fight ; and few will not admit that cautious action, even if it seems

<sup>1</sup> Irish National Teachers' Congress, April 4, 1907.

<sup>2</sup> The earlier history of the Board is admirably summarised in Graham Balfour's *Educational Systems*, second edition, pp. 78-110.

illogical, is justified if it preserves the peace. It is not easy to be impartial in the midst of contending parties ; and none can feel surprised that the Board occasionally decline to risk a disturbance by a rule or an action that may be contentious. Irish primary education even now cannot compare with that of Great Britain ; but under the Board it has made great strides. Much, it is true, remains to be done ;<sup>1</sup> and much might be done if Ireland had a local interest and opinion on educational administration. The administration is entirely centralised and the people have no local control, nor are rates imposed for educational purposes. Unfortunately change in the direction of the English system is much more likely to retard educational progress by raising anew religious agitation, and the opinion of the Roman Catholic priests would be entirely against any change which removed them from the powerful and controlling position which they now occupy as managers of the schools.

The Intermediate Education Board enjoys even greater independence, since its income is derived from Irish Church and local taxation funds and is not voted by Parliament. In England such a body would not be under Parliamentary or official control at all. Its work indeed is very similar to that of the Oxford and Cambridge Examination Boards—the bodies that control the popular Local Examinations, of which every secondary scholar has heard. In Ireland the Board does not entirely escape Government control or Parliamentary notice. Its members are nominated by the Lord Lieutenant

<sup>1</sup> See the Report of the National Education Commissioners, 1909-10, Cd. 5340. A bitter complaint is made of the parsimony of the Treasury in respect of grants, and especially of building grants. Some school-houses are described as "mere hovels ; some have earthen floors and thatched or broken roofs unceiled within, and others are badly lighted and ventilated, possessing insufficient floor and cubic space for the numbers in attendance, and destitute of any sanitary arrangements."

and are removable at his will—a power of which the Board have been reminded when they showed signs of insubordination.<sup>1</sup> Their rules have to receive the approval of the Lord Lieutenant, and are liable to be petitioned against by Parliament.

Two other Boards not under the direct control of the Irish Executive are concerned solely with the administration of statutes passed for the benefit of Ireland. They are immediately connected with the land question, and, in both cases, they are of only a temporary character. Parliamentary Votes enable their actions to be discussed, and the Chief Secretary is in both cases their official mouthpiece in Parliament. To place the Congested Districts Board or the Land Commission under the control of a political assembly would be entirely contrary to the original intentions of those responsible for founding them.

The Congested Districts Board was established in 1891 by Mr. Balfour. Its duties are to remove congestion by migration and the purchase of estates and a redivision of holdings, and to improve the condition of such districts by aiding and developing agriculture and fishing, by improving live stock, and by the introduction of suitable industries. To-day it has the spending of an income of £250,000 a year, partly voted by Parliament, and in addition has a call on money raised by the Treasury for land purchase to the amount of £1,000,000 a year; and in such purchases the Board may exercise compulsory powers. By the Land Act of 1909 the number of members was increased, its area of operations was extended, and it was given new and more responsible duties. Clearly, then, the Board is an important and powerful factor in Irish

<sup>1</sup> The relations of the Intermediate Education Board with the Executive are fully discussed in the entertaining correspondence which passed between them in 1906 and was issued as a Parliamentary Paper, Cd. 3213.

life. At the very beginning it was laid down by Mr. Balfour that the Board was not in the ordinary sense a Government department; nor was it to be subordinate to either the Chief Secretary's office or the Ministry of the day. With the exception that the Lord Lieutenant must be consulted for certain purposes specified by statute, and that all applications to the Treasury for expenditure paid for out of the Vote must pass through "the Castle," its correspondence may be conducted independently of the Government.<sup>1</sup> Indeed, it is somewhat difficult to say whether Irish Home Rulers would willingly see the Board abolished. On the contrary, they assert that it is the only Board upon which there are real representatives of the Irish people. True, its members are nominated; but, having regard to the amount of public money at their disposal, a system of direct or indirect election would, it will be acknowledged, only result in difficulties and in not too edifying campaigns in which the candidate who promised most and got most for his constituency would be the winner. The Government proposed in the Land Bill to establish a Board partly selected by popular bodies, but agreed in the end not to alter the present system of nomination.

Of the Land Commission and Estates Commissioners it is sufficient here to say that, being appointed for the specific purpose of carrying out the provisions of the Land Purchase Acts, they are not in the position of an ordinary public department. In so far as their work is often of a judicial character, the salaries of the Land Commissioners are paid out of the Consolidated Fund and the holders are not therefore liable to Parliamentary criticism. Generally in financial matters they are under the control of the Treasury—not an astonishing arrangement when it is remembered to what extent

<sup>1</sup> Memorandum by Mr. Balfour, printed as an appendix to the First Report of the Dudley Commission, Cd. 3267, p. 4.



Imperial credit is involved in the operation of the Land Acts. The Estates Commissioners are, however, paid out of the Votes, and their conduct is subject to Parliamentary criticism; and by the Act of 1903 they are placed under the "general control" of the Lord Lieutenant, a phrase which has not always led to smooth working.

Perhaps the best abused Irish department is the Board of Public Works. It is accused of blunders, inefficiency, and a general want of proper understanding of and attention to "Irish ideas." Its faults are attributed to the fact that it is more or less under the control of the Treasury, which is always charged with harbouring the bitterest hatred of anything Irish. Besides other duties, the Board of Public Works carry out those which in England are delegated to the Office of Works and the Public Works Loan Commissioners. Both these offices in London are under the Treasury; and it is only in accordance with this practice that the Irish department should also be under the Treasury. Especially is Treasury control to be expected when it is remembered that all advances by the Board have been made since 1887 out of the Local Loans Fund, which is an Imperial Fund for the common purpose of the United Kingdom under the control of a Treasury office—the National Debt Commissioners. It is customary for Home Rulers to attack the Board of Works as though its failure to please everybody would be swept away by Home Rule. Does any one seriously believe that if the Board had to rely upon an Irish fund sufficient money could be raised to give every applicant all he required? The Treasury and its sub-departments are always being grumbled at in England. There is not a Cabinet Minister who would not be ready to grant all a deputation required if it were not that the Treasury would refuse to meet the cost. It is no special defect of the Union that the Board of Works cannot

do all that is asked of it. Nor should attention be paid to those who delight in producing instances where the Board may have blundered : rather a just man would consider the excellent work performed by the Board, and would remember that it is not impossible for much bigger Government departments to make mistakes. Home Rulers would have it believed that new virtues would settle on public departments if only Ireland had Home Rule, and that every man with a complaint or grievance would be satisfied. But can any one really think that Ireland would have no excuse or cause to criticise her public departments under Home Rule? Such an attitude of mind expects too much from human nature. It has already been pointed out that Irishmen are appreciating the foolishness of the suggestion from the record of the Congested Districts Board, which, even though under the direction of Home Rulers, is criticised and attacked as if it were a "Castle" department.

The above account shows that in its organisation Irish administration does not materially differ from the system in vogue in England; that when examined the Nationalist talk of chaos, lack of co-operation, and inefficiency is reduced to no more than the usual grumble against public offices; and that where public departments have a freedom from Parliamentary and political control denied to English or Imperial departments, their position has been established the better to meet the special conditions of the country.



## CHAPTER III

### THE CONTROL AND COST OF IRISH AFFAIRS

In the previous chapter a general account was given of the present system of Irish government ; and some of the charges brought by Home Rulers against its efficiency were examined and were shown to be groundless. The present chapter continues the investigation of Nationalist complaints. Perhaps the charge most commonly brought against the present system is that it gives the Irish people no voice in the management of their own affairs. Mr. Redmond himself sometimes makes this assertion ; but a student of the speeches of the Irish Nationalist leader will feel nonplussed to come across statements by the same speaker of an entirely contradictory character. To an observer of Irish affairs there is nothing surprising in this ; because he will have learned that Irish Home Rule politicians follow no fixed rule or policy, but vary their opinions and utterances to suit their audiences and the immediate conditions of the political situation. This may be thought rather harsh criticism, but its accuracy is admirably illustrated by the very assertion now being examined. Mr. Redmond in the House of Commons on March 30, 1908, moved a Home Rule resolution, one sentence of which was to the effect that the present system of government in Ireland gave the Irish people no voice in the management of their own affairs. Upon this theme Mr. Redmond dwelt at

some length. During his last visit to the United States, Mr. Redmond declared in a speech at Detroit on October 26: "We have in Ireland an organisation which is practically a government of the country. There is, no doubt, in a place called Dublin Castle, an English gentleman who never was in Ireland before and who never will be in Ireland again after a little time, and who is quite unknown to the people and who knows nothing about them, and who is called the Chief Secretary for Ireland, and he is supposed to govern the country. But there is in O'Connell Street, Dublin, a great office managed by the real chief secretary for Ireland, my colleague and friend, Joseph Devlin, the member for Belfast."<sup>1</sup>

It is quite evident that Mr. Redmond cannot have it both ways. The explanation lies in the nature of the two audiences. In the House of Commons Mr. Redmond wished it to be believed that Ireland was a down-trodden nation. He appealed as a suppliant to the dominating power for justice. He is too astute a politician, however, not to know that a meek attitude in the United States will not bring in American dollars. There, if coffers are to be filled, it is necessary to be truculent, and contemptuous of the brutal Saxon—hence the changed tone. This is not an isolated instance. Later, when the many Nationalist definitions of Home Rule are examined, they will be found to conflict in the same way.

How far, however, is the charge true that Ireland has no voice in her own affairs? First as to local affairs. There the Irish people have exactly the same control as the inhabitants of the other parts of the United Kingdom possess.<sup>2</sup> Over the levying and spending of the rates of the country the elected representatives of the people have an absolute voice. Ireland possesses a system of local government com-

<sup>1</sup> *Irish World*, November 5, 1910.

<sup>2</sup> With the exception of education. See Chapter II., p. 19.



prising county councils and urban and rural district councils. They were established by the Unionist Government in 1898, in pursuance of the declared policy of not withholding from Ireland benefits granted to the rest of the United Kingdom. In no way can the Local Government Act be considered as effecting an advance towards Home Rule, as the term is generally understood. While it gave the Irish popular control over their local affairs, the powers and authority of the Imperial Parliament were untouched and unaltered. Home Rule means exceptional treatment for Ireland ; the Local Government Act means equal treatment for Ireland.

Of course Irish Nationalists place a wider meaning upon the phrase "Irish affairs" than is covered by local government. Their complaint is that when an Irish matter comes before the Imperial Parliament it is not Irish votes alone which decide the question. Neither in the same way do the votes of Scottish members alone decide Scottish affairs, or Welsh votes Welsh affairs, or English votes English affairs. In such a case, for example, Irish Nationalist members of Parliament should not have voted in the divisions on the English Education Bill, 1906. Far from acting up to their opinions, however, they now actually claim support because their action on that measure enabled them to gain concessions for Catholic Schools in England. If questions are to be decided only by the representatives of that part of the United Kingdom to which they refer, the Imperial Parliament must agree to a delegation of powers to a number of subordinate assemblies. This would be federalism ; and, whatever may be the arguments for or against it, this much at any rate can be safely asserted, that it has nothing whatever to do with Home Rule for Ireland. Federalism means equal treatment for all ; Home Rule means special concessions for Ireland.<sup>1</sup>

<sup>1</sup> See Chapter V., pp. 78-80.

But can any observer of recent politics conscientiously assert that Irish representatives have no voice in the management of their own affairs? Take, for example, the Irish Council Bill. In that case Irish opinion was against the measure; and in deference to Irish views the Bill was dropped. So with Irish measures in the House of Commons like the Land Bill, the Evicted Tenants Bill, and the Town Tenants Bill, who would be prepared to deny that the voice of the Irish Nationalist members of Parliament did not largely prevail in the shaping of the clauses? Indeed, they are accustomed to claim all the credit for the many Acts of Parliament that have been passed by successive Governments for the benefit of Ireland, and under the operation of which the country has made undeniable progress. If the Irish Nationalists are to be credited with such achievements it cannot be maintained that they have no voice in the conduct of their own affairs.

In matters of legislation Irish opinion does prevail, and that is also the case on questions of Irish administrative policy. Indeed, it would be difficult to find a Minister who would act contrary to Irish opinion when once it has been clearly and forcibly expressed. A Liberal Minister nowadays would never do so; and a Unionist Minister certainly no more frequently than he would upon British matters act contrary to the opinions expressed by other parties of the Opposition—the Liberals and the Socialists.

Indeed, far from agreeing that Irish Home Rulers have no voice in Irish affairs, a considerable amount of public opinion in Great Britain is inclined to consider that they have quite enough voice in the management of their own affairs at Westminster, and too much to say in other people's business. The Irish Home Rule complaint merely directs attention to the fact that Ireland is over-represented

at Westminster—that she has one hundred and three members instead of sixty-five, which should be her proper proportion. It is for Mr. Redmond to decide whether it is wise to fix this fact in the public mind. The grievance affects not only Unionists, but Liberals and Socialists. Should they co-operate in securing that the voice of Great Britain shall be properly heard at Westminster, the Irish Nationalists may rue the day they pressed forward so unfounded a complaint.

To hold up the present system of Irish government to ridicule as inefficient and extravagantly costly, as Irish Nationalists do, is not to display those feelings towards their countrymen who man the Irish departments, which are naturally to be expected from a Party which boasts of its patriotism and nationality. It is dirty work libelling one's own countrymen; and more so inasmuch as, being officials, those who are attacked are prevented from replying. Credit is due to Mr. Birrell for his generous tribute to Irish civil servants. Speaking in the House of Commons on February 13, 1907, he said:

“I find these great departments of State, or whatever you like to call them, admirably manned. I have not a word to say, I need scarcely add, against the distinguished officials at their head. They are all remarkable men; their abilities no doubt vary—such is the habit of mankind. Of their devotion to the public service I have no doubt, nor have I any doubt whatever of the mass of information that they acquire. I do not doubt their experience, I do not doubt that they have gained, and must necessarily have gained, great knowledge of Ireland.”

After this the Home Ruler must be venturesome who will assert that the administration of Irish

affairs is conducted in an extravagant manner by inefficient officials. Of course it may be asserted that the charge is made against the system and not against persons. It is easy enough to produce incidents which seem to justify accusations of inefficiency and extravagance in Irish public departments. But such charges are not confined to Ireland. They are made every day against all public departments in Great Britain, and indeed all over the world. Such attacks are inevitable in modern systems of administration, where the detailed nature and complexity of the business transacted makes obedience to rules and precedents essential. The conditions from which seeming absurdities arise are not confined to Government departments. Every one knows them to be present in the offices of large public companies. In small offices each transaction can be treated on its merits. Similar action in public departments would produce a confusion which would bring the conduct of affairs to an end. Officials, too, make blunders. Passing a civil service examination does not render them less liable to err. Mistakes are made by all persons in business life: only, involving private interests, they escape publicity, and the attention of Members of Parliament and the Press. Irish public departments are no exception; but Home Rule would be no cure. And single instances of error or red tape—perhaps it should be green tape in this connection—are no justification for a revolutionary change of government. So, too, it should not be overlooked that in the desire to make this assertion good Irish officials and the work of public offices have been subjected to persistent and not always scrupulous or fair criticism to an extent which probably the officials of no other country have experienced. The fierce light of Party antagonism is directed on all their acts, and the smallest error is magnified and distorted for political purposes.



Further complaint is that the time allowed to Irish members for criticising the estimates and actions of those departments which are fed by Parliamentary votes is too short, especially as the Nationalists have no voice in the framing of their estimates. The complaint is not new, nor is it confined to Irish Nationalists. Indeed, it always has been, and probably always will be the subject of complaint that vast sums of money are voted by the House of Commons without adequate discussion. It is one of the perpetual charges brought against our system of Parliamentary Government. It will be found, however, that Ireland does very well in respect of time allocated for the discussion of Supply. Omitting those Votes which have to do with Imperial Departments covering the whole of the United Kingdom—Army, Navy, Post Office, etc.—it will be found that in 1909 and 1910 respectively six and three sittings were devoted wholly or partly to discussing Irish supply, one in each year to Scottish supply, and six in each year to English supply.

Besides, grievances can be ventilated at question time; and urgent matters on the motion for adjourning the House, or by moving a special adjournment motion. Of these courses the Nationalist Party avail themselves to the full.

Irish members, it is true, have no direct voice in framing Irish estimates. Nor have other members in respect of estimates in which they are interested. Under our system of government Ministers alone are responsible. Indirectly public opinion has much influence in the allocation of money; and the views of an active and numerically large body of Nationalist M.P.'s are not to be habitually ignored by Irish Ministers. If private Members are to have direct responsibility for estimates, Ministerial control must be removed, and a system of Committees set up, as under many foreign constitutions. But

this solution has nothing whatever to do with Home Rule.

A further complaint is that some of the Irish departments draw their income from the Consolidated Fund or from other non-voted sources (*e.g.* the Irish Church Fund), and are therefore beyond Parliamentary control. There is little in this grievance. In so far as the salaries and pensions of judges are concerned, the practice of paying them out of the Consolidated Fund corresponds to that adopted in England and Scotland. It was established not without reason, since it was very properly desired to exclude the judiciary from any suspicion of Parliamentary influence or control. The salaries of the Land Commissioners are charged in like manner on the Consolidated Fund, their duties being to a considerable extent judicial in character. The Lord Lieutenant too derives his salary from the Consolidated Fund. His position as representative of the Sovereign naturally precludes him from Parliamentary criticism; but it does not prevent the Irish policy of the Government being criticised at Westminster, since it can be discussed on the vote for the Chief Secretary's salary. Of those departments which are wholly independent of voted moneys—the Intermediate Education Board and the National University—neither entirely escapes Parliamentary control. The position of the Intermediate Education Board has already been dealt with. In the National University Home Rulers predominate; and its affairs are administered by Irish representatives to an extent that justifies the assertion that Ireland enjoys Home Rule in respect of her University education.

There is no more popular theme in Nationalist speeches than the extravagance and cost of Irish government. Dissociating themselves entirely from the conduct of affairs, it is not surprising that they attribute extravagance to their rulers. But there is

not a Nationalist who would agree to have the total expenditure reduced. Let it but be proposed by the Government, and there would immediately arise a howl of anger and rage from Nationalist benches at Westminster. In calling attention to the costly nature of Irish administration Nationalists do not mean it to be inferred that Parliament in their opinion votes too much money for Irish services: but only that the expenditure is not on the right objects. The one idea underlying Nationalist complaints is that whatever economies may be effected, the total Irish expenditure shall not be reduced, but that money saved under one head shall be transferred to another. As a matter of fact there is no more persistent beggar at the Treasury door than the Irish Nationalist. Of that no complaint need be made; but it is not right that when his request is met, the grant of money should be counted as a further proof of the extravagance of Irish government.

It is all very well to condemn the present system as costly: but what value can be placed on such attacks, when the Nationalists singularly fail when put to the test? Mr. Redmond, for example, on one occasion expressed the opinion that under Home Rule they would run the country on one-half the present expenditure.<sup>1</sup> Was it possible to regard that as a distinct offer? It is to be feared that it was no more than a rhetorical expression, for Mr. Redmond had only a little time before failed entirely to give evidence of an inclination to put such views into practice. The Irish Council Bill had been introduced only a few months earlier. Acting in accordance with the expressed views of Nationalists, Mr. Birrell might very reasonably have indicated an intention of limiting the Parliamentary grant in respect of the eight departments it was proposed by that measure to hand over to the Irish

<sup>1</sup> Drumkeerin, October 27, 1907.

Council. He did nothing of the kind. Far from suggesting that the time had come to reduce expenditure, Mr. Birrell said that there was no single man, however stern and strong and Parnellian he might be, and certainly no body of men, unless they were wholly bereft of their senses, who would consent to take over the eight departments at the existing cost of administering them—£2,000,000.<sup>1</sup> Here indeed was surprising evidence against the charge of extravagance. More was to follow. Mr. Birrell proposed to add an additional £650,000 a year to the Parliamentary grant. Here then was Mr. Redmond's opportunity. He could have shown the sincerity of the Nationalist cry for economy by refusing the increased grant, and by indicating his desire to reduce the present cost. He did nothing of the kind, but on the contrary complained that the additional £650,000 was "altogether inadequate." In the face of this can persons be altogether blamed if they decline to believe in the charges of extravagance or to have much faith in the Nationalist professions of economy?

It is perfectly true that the cost of Irish government is high, and that it is increasing. There are few who will not admit that in all probability, as further steps are taken to improve Irish conditions, it will be higher still. Nationalists are very prone to fill their speeches on this topic with comparisons of the cost of administration in Ireland and Great Britain. Such comparisons are entirely beside the point, since the conditions are so dissimilar. Of what use is it, for example, to place side by side the cost of civil government and the number of officials in Ireland and Great Britain, and to deduce from the result that the former is too heavy in Ireland, and that she is overrun by a "horde" of the latter? To do so betrays a deliberate

<sup>1</sup> House of Commons, May 7, 1907.



intention of ignoring the special conditions of Irish life. Great Britain has no Land Commission transferring the soil to the tenants, with the necessary army of inspectors, examiners, surveyors, etc. Great Britain has no Congested Districts Board endeavouring to solve the problem of the west by striping out estates, by rearranging holdings, and by teaching the people how to conduct their industry with the best results. Bearing these and other facts in mind, it is not remarkable that officials are numerous in Ireland and the cost of administration high.

The Local Government Board is a department the cost of which is often compared, to its detriment, with the cost of the Board in England. There again a true comparison cannot be made, since the Irish Board undertakes duties in connection with the provision of labourers' cottages and the administration of the Medical Charities Act which have no counterpart in the work of the Local Government Board in England.

Perhaps one of the principal complaints is that too much is spent on police and not enough on education. The number and cost of the police is always a subject of controversy. The question of law and order is dealt with at some length in a later chapter; but it may not be out of place here to point out that this is a matter which it is entirely within the power of the Irish people themselves to deal with. Comparisons of ordinary crime and police in Great Britain and Ireland avoid the great distinction that there is in Ireland agrarian crime, from which Great Britain is free. It is the duty of every Government to protect law-abiding citizens from the attentions of the lawless; and so long as Irish Nationalist politicians consider that they are called upon to urge their followers to boycott and attack persons who are not of the same way of thinking and to destroy their property, so long is a large

and costly police force necessary. When Ireland is peaceful the police force is reduced. When a campaign of lawlessness is initiated, every Government is compelled to increase the police in the interests of the law-abiding. This was never more plainly shown than in the recent outbreak of cattle-driving, when the present Government, politically in entire sympathy with the Home Rulers, increased the police by four hundred men solely to protect the lives and property of those against whom the Home Rulers were waging war.

Comparisons, too, are misleading, since the police in Ireland perform many duties which in England are paid for out of local funds—such as collection of statistics of many sorts, inspections under Explosives Acts, the Factories Acts, suppression of illicit distillation, Veterinary Acts, and Public Health Acts. The cost, too, falls wholly on Imperial Funds, with the exception of “extra” police, for which the districts in which they serve are called upon to pay one-half. In Great Britain the expense of the police force is shared between the Imperial Exchequer and the local authorities. In strict justice savings on the Irish constabulary ought to go solely to the relief of the Imperial Treasury.

No one will admit that primary education in Ireland cannot be improved; but if the cost of administration and inspection is high, the prevalence of small schools makes it so. If the Parliamentary grant is not so large as Irish Nationalists would have it, it should not be forgotten that Irish local bodies have never shown any disposition to assist education by rate-aid, as in Great Britain. Had they done so, there would certainly have been a greater inducement to Parliament to increase its grants.<sup>1</sup>

<sup>1</sup> Upon the cost of Irish administration the debate in the House of Commons on March 26, 1908, should be consulted.

The Irish complaint was not only that Parliament voted too much money for certain Irish services, but that she called upon Ireland to make too large a contribution to their expenditure. The past tense has been purposely used in the above sentence. In the last two years the balance of taxation and expenditure has been reversed. Whereas in previous years Ireland made an annual contribution out of her taxation towards Imperial services which varied between £1,700,000 and £2,800,000, yet in 1909-10 the revenue contributed by Ireland was insufficient to meet the cost of purely Irish services. The amount contributed by Ireland was £8,355,000, while the total expenditure on Irish services was £10,712,500. The Imperial Exchequer was thus called upon to make a contribution of £2,357,500 towards the cost of Irish government.<sup>1</sup> This has been brought about almost entirely by the Budget of 1909 and Old Age Pensions. To meet the deficit Mr. Lloyd George only asked from Ireland a contribution of £438,000 in 1909-10, leaving Great Britain to pay £10,633,000. In a full year the additional taxation placed on Ireland is estimated to amount to £602,000, while Great Britain pays £17,098,000. On the other hand, Ireland benefits by £2,460,000 in the shape of Old Age Pensions, and by other legislation affecting Land Purchase and University Education, and by increased grants for Elementary Education and other Irish services. Altogether the advantage to Ireland is not less than £2,800,000, against increased taxation amounting to £602,000.<sup>2</sup>

Not only, then, does Ireland not contribute a penny towards the Army, the Navy, Consuls, and other services—of which she, as part of the United Kingdom, enjoys the benefit—but Great Britain

<sup>1</sup> *House of Commons Papers*, No. 233 of 1910.

<sup>2</sup> *House of Commons Papers*, No. 128 of 1910 and Question, House of Commons, March 9, 1910.

is called upon to subsidise Irish administration. Nationalists now suggest that this failure to keep up the Imperial contribution is a proof of Ireland's poverty. A few years before they declared that having to contribute towards such services from which they received no benefits was the cause of Ireland's poverty. This readiness to accommodate their views to the changing times introduces the charm of uncertainty into Irish politics. It says much for the ingenuity of the advocates of Home Rule, but little for the justice of their cause. Rather it would seem that the true explanation lies in the expensive character of Irish administration, owing to the special character of legislation passed in the hope of ameliorating Irish conditions.

This is a fact which, when it is appreciated, may have a considerable bearing upon Home Rule. Although Ireland is now administered at a loss, it is the British taxpayer who has to make good the difference. So far little grumbling has been heard. Probably because the British elector, looking upon Ireland as an integral part of the United Kingdom, considers it not unjust that the Imperial Exchequer should bear the burden of special expenditure to improve Irish conditions, any more than it should not meet the cost of similar work, say, in the backward parts of Scotland. But, in the event of Home Rule, popular feeling would incline towards making Ireland responsible for her own balance-sheet. Anything in the nature of a subsidy would be looked upon with disfavour; and, if granted, would have to be accompanied by some kind of control which would not only be against the principle of Home Rule, but would also offer considerable likelihood of disagreement between the two countries. Great Britain, too, would be justified in insisting upon a contribution towards Imperial Services, so long as Ireland enjoyed the protection of the British Army and Navy and



the benefits of the British consular services, etc. Under such conditions, even having regard to the vague promises by the Home Rulers of economy of administration, Home Rule would seem to offer to the Irish people little beyond the prospect of additional taxation. The situation might be relieved by dropping Old Age Pensions, but what popularity would an Irish Home Rule administration possess which made public such an intention? When the financial position is properly understood in Ireland it is not too much to assume that Home Rule will lose its existing popularity. It will then be the irony of politics that the death blow will have been dealt by a British Government favourable to Home Rule.

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## CHAPTER IV

### WHAT IS MEANT BY "HOME RULE"

HAVING explained the existing system of Irish administration, and shown that the criticisms of the Nationalists are ill-founded, it will now be convenient to devote some space to an investigation of the Nationalist panacea for Irish ills. It is comprised in the two words "Home Rule"; but when an attempt is made to find an official, universal, and binding definition of the term, difficulties at once arise.

Ask a Liberal what he means when he calls himself a Home Ruler, and he will probably show that he has at the back of his mind the establishment of some kind of subordinate assembly in Dublin which shall supervise the administration of Irish departments, much after the manner in which London administration is controlled by the London County Council, and shall also possess some strictly limited legislative powers over certain questions, subject to the supreme authority of the Imperial Parliament. The Liberal finds great comfort in "the supreme authority of the Imperial Parliament." In his opinion it is a safeguard against every danger that might be apprehended from the concession of Home Rule; and Nationalists would not be human if they did not humour this belief. But, as will be shown later, Liberals and Nationalists are entirely at variance when it

comes to defining the power that is necessary to retain such supremacy. Neither do Liberals perceive that anything like an effective supremacy is a distinct contradiction of the right of self-government which Nationalists claim for Ireland. This much is, moreover, certain—that the definition of Home Rule which has been given as being the usual Liberal view would in no way satisfy Irish Nationalists as meeting their whole demand. They might accept it as an instalment, but would certainly not agree that it finally settled the controversy.

The question naturally arises—what would satisfy Nationalist aspirations? The answer cannot be readily given. It might have been expected that the Irish Nationalist Party at Westminster would have made their demand clearly and precisely in the shape of a draft Bill. That is quite the usual course for a body of men to take who desire to see some project passed into law.<sup>1</sup> It has this advantage, that men know exactly what they are asked to support; and doubts and difficulties are cleared up. Such a course would be even more useful in the case of Home Rule, upon which men are violently divided, and concerning which its supporters vigorously deny the allegations of opponents. This reluctance of the Nationalists to cast their proposals into legislative form is all the more remarkable when it is remembered that their Bills on other Irish matters descend on the Printed Paper Office at Westminster in shoals. Obviously powerful influences must be restraining their usual readiness to furnish the House of Commons with their demand in legislative form. From whence does this disinclination spring? It would seem to be due to the difficulty of satisfying their American paymasters without frightening their Liberal supporters. While the former demand a full-blooded scheme of

<sup>1</sup> The Irish Nationalists in 1888 did introduce a Local Government Bill.

independence, the latter expect the Nationalists to be satisfied with a subordinate assembly. Hence the difficulty that arises in replying to the question—What is Home Rule?

Although the Liberal definition may be interesting for the purposes of comparison, the only explanation of the term that really counts is the one held by the Nationalists. It is they who would have to work a Home Rule Parliament, and be responsible for Ireland under such a constitution: and moreover it is their demand which is to be satisfied. It is the purpose, then, of this chapter to examine Nationalist actions and utterances with the object of arriving at some satisfactory definition of the phrase Home Rule.

Perhaps the easiest way is to rule out whatever is clearly not Home Rule according to Irish Nationalist ideas. First, the Irish Council Bill. Its rejection by the Irish Nationalist Convention at Dublin is proof that it failed, even as an instalment, to meet the demand for Home Rule.

What of Gladstonian Home Rule? Can it be regarded as satisfying to Irish Home Rulers? Was it accepted by Irish Nationalists as a full, final, and satisfactory settlement of the question? An extract or two from Mr. J. Redmond's speech on the third reading of the Home Rule Bill of 1893 shows that the reply is in the negative. Mr. Redmond said:

"As the Bill now stands no man in his senses can any longer regard it as a full, a final, or a satisfactory settlement of the Irish Nationalist question. The word 'provisional' has been stamped in red ink across every page of this Bill."<sup>1</sup>

<sup>1</sup> House of Commons, August 30, 1893. Mr. Redmond's speech upon that occasion may be recommended to Liberals who think that Irish Nationalists would be content with a moderate measure. In his article on Home Rule in *McClure's Magazine* (October 1910) Mr. Redmond perhaps wisely makes no mention of this speech.



Since the Gladstonian Home Rule Bill of 1893 did not satisfy Irish Nationalists, it is clear that further research is necessary before arriving at the real definition of Home Rule. Before doing so, however, it will help to make the nature of the Nationalist demand clearer if some attention is given to the reasons Mr. Redmond put forward for his opposition to the Bill of 1893 and also to the powers the Bill proposed to confer on the Home Rule assembly. Mr. Redmond declined to consider it as a full settlement since it left over for future consideration by the Parliament of Great Britain some of the most vital of Irish interests, and withheld control over them from Ireland; it could not be a final settlement because no partial grant of autonomy could be final; and in his opinion it was not a satisfactory settlement to England since it did not end the question, nor to Ireland since it did not make Irishmen masters in their own country.

It will be of considerable assistance to a proper understanding of the Home Rule demand if some account is given of the provisions of this measure which Mr. Redmond condemned as unsatisfactory.<sup>1</sup>

The legislature the measure proposed to establish consisted of the Sovereign and two Houses—the legislative council and the legislative assembly. The council was an upper chamber containing forty-eight members elected on a £20 rateable franchise; the assembly consisted of 103 members elected by existing parliamentary constituencies on the parliamentary franchise, which might be changed after six years. The powers of the legislature were generally to make laws for the peace, order and good government of Ireland in respect of matters exclusively relating to Ireland or some part thereof. It had no authority over such matters as appertained

<sup>1</sup> The following summary is taken from the text of the Bill as it left the House of Commons in its final form,—*House of Commons Bills*, No. 448 of 1893,

to the whole of the United Kingdom—as the succession to the Crown, peace and war, the army, the navy and defence, treaties, dignities, external trade and shipping matters, naturalisation, coinage, weights and measures, trade marks, copyright and patent rights.

The powers of the legislature too did not extend to the making of laws respecting the establishment, endowment or prohibition of the free exercise of religion; imposing any disability or conferring any privilege on account of religious belief; prejudicially affecting the right to establish or maintain any place of denominational education, or denominational institution or charity; imposing any disability or conferring any benefit on persons by reason of parentage or place of birth, depriving persons of life, liberty or property without due process of the law.

With these exceptions, of which any Home Ruler who desired to exercise the powers of the legislature with equity and justice could hardly complain, the authority of the Home Rule Irish Government was complete in respect of both legislation and administration.

The Lord Lieutenant possessed a veto on legislation; but whether it was to be exercised solely on the advice of the Irish Government, or after consultation with the Imperial Government, was a matter of some controversy. The actual words of the clause pointed to the latter.

Constitutional questions were to be decided by the Judicial Committee of the Privy Council, subject to the initiative of the Lord Lieutenant or a Secretary of State. Whatever grievances Ireland might possess through the restrictions on the activity of her legislature, she had the right to send eighty members to the Imperial Parliament at Westminster not only to bring such complaints to the higher authority but to vote and speak on all questions.

Temporary provisions were inserted to have effect until a financial settlement was arrived at. A joint committee of the Treasury and the Irish Government was to determine the amount of the general revenue of Ireland derived from Imperial taxes, Crown lands, and customs and excise duties collected in Great Britain on articles consumed in Ireland. One-third of this revenue was to be Ireland's contribution to Imperial expenditure. The remaining two-thirds was styled special revenue, and the Irish Government had its proceeds towards their expenditure. After six years these provisions expired and the Irish legislature was free to impose its own taxation for its own purposes. All Imperial taxation ceased, with the exception of customs and excise duties, which remained in the hands of the Imperial Parliament, and a revision was to be made in the arrangements for Ireland's Imperial contribution. There was to be set up an Irish Exchequer and Irish Consolidated Fund. As charges on the latter, special mention was made of the interest and sinking fund for Land Purchase, the cost of the Lord Lieutenant's Household, and the salaries and pensions of judges. Two judges were to be appointed Exchequer Judges for revenue actions, election petitions, etc., and were to be paid out of the Consolidated Fund of the United Kingdom. After three years the Lord Lieutenant was to appoint the judges. Special provisions preserved the rights of existing judges and civil servants. Local police forces were to be established; and as that was done, so the Royal Irish Constabulary were to be withdrawn, until, within six years at the latest, the R.I.C. ceased to exist.

These were the principal provisions of the Gladstonian scheme, and they show how complete and full a system of Irish self-government was set up, short of entire Separation. Gladstonians indeed never allowed the charge of Separation to go un-

contradicted so far as their measure was concerned. As a refutation of the allegation they invariably directed attention to the fact that in the preamble of the Bill a special reference was inserted providing that the Irish legislature should be created "without impairing or restricting the supreme authority of Parliament."<sup>1</sup> To-day Liberal Home Rulers lay the same stress on the need for "explicitly safeguarding the supreme and indefeasible authority of the Imperial Parliament."<sup>2</sup> When Mr. Redmond's Home Rule resolution was discussed in the House of Commons, Mr. Asquith spoke of its "cardinal defect" being the want of an "explicit recognition of Imperial supremacy," which was to his mind "the governing condition"; and indeed he declined to vote for it until words were added which made the suggested Irish legislature "subject to the supreme authority of the Imperial Parliament."<sup>3</sup> Mr. Redmond not very graciously accepted the addition to his motion—he had no alternative but to do this or suffer his resolution to be opposed officially by the Government, and probably be defeated—asserting that they had always recognised the supremacy of the Imperial Parliament. The matter is one of some moment. Clearly Liberal Home Rulers regard it as of great importance that the supremacy of the Imperial Parliament shall be maintained under any scheme of Home Rule. How it is possible to do so, and at the same time produce a plan that shall satisfy the Nationalist demand, is a problem which Liberals must solve. The immediate point is that, whilst Liberals upheld the supremacy and Mr. Redmond declares that he

<sup>1</sup> As to whether the Bill did not in effect impair and restrict the supreme authority of Parliament, see Dicey, *A Leap in the Dark*, chapter ii.

<sup>2</sup> Mr. Asquith, Albert Hall, December 10, 1909, Authorised edition, p. 7.

<sup>3</sup> Mr. Asquith, House of Commons, March 30, 1908.



recognises it, yet he declined to accept the Liberal Bill of 1893, which referred to the maintenance of such supremacy, on the ground that it was only a partial grant of autonomy and could not therefore be regarded as final. The Imperial supremacy under the Bill of 1893 was no more than nominal, and Mr. Redmond and the Liberal Government resisted an amendment definitely to declare that the Irish legislature was to be "subordinate to the Imperial Parliament."

The subject is again occupying a prominent position in the discussions upon the Home Rule question. Mr. Asquith declares that the supremacy of the Imperial Parliament is the condition of any form of Home Rule<sup>1</sup>: he asserts, moreover, that this is "frankly accepted" by Mr. Redmond. What then do the two Home Rule Parties mean by supremacy? Mr. Redmond describes Parliament as "retaining an overriding supreme authority over the new Irish legislature, such as it possesses to-day over the various legislatures in Canada, Australia, South Africa, and other portions of the Empire."<sup>2</sup> This definition is important, since it clears away uncertainty upon this point so far as the Irish Home Rulers are concerned. It requires no very profound student of constitutional matters to recognise that the supremacy of the Imperial Parliament over the legislative and administrative acts of our Self-Governing Dominions is in practice, whatever it may be in theory, of the most shadowy description. No person would think of applying the description "a subordinate Parliament" to the legislatures of the Commonwealth of Australia or the Dominion of Canada. Mr. Redmond's earlier references to the subject are in direct accord with his present attitude. They do possess, however, the advantage of a somewhat more detailed explanation of his

<sup>1</sup> St. Andrews, December 7, 1910.

<sup>2</sup> *McClure's Magazine*, October 1910.



point of view. Speaking in the House of Commons, he said on August 8, 1892 :—

"What we ask is that there shall be a specific undertaking — a clause specifically undertaking — that while the Irish Parliament continued in existence the powers of the Imperial Parliament to legislate for Ireland should never be used. In point of actual fact, the Imperial Parliament would retain its power to take away our legislature, but we should require a formal compact with Ireland to the effect that while that Legislature lasted it should have a free and unfettered control of Irish affairs. It is no answer to say that the Irish Parliament might pass statutes in excess of its powers. That is a case to be dealt with by that tribunal which will have to be granted in Ireland. . . . What we object to is not the retention of the supremacy of the Imperial Parliament in the sense that the Imperial Parliament can take away the Irish Legislature, but we do object to the retention of the right of revision, of amendment, review and repeal of specific Acts of the Irish Parliament acting within its proper limits."<sup>1</sup>

And again in the House of Commons, on February 14, 1893, he said :

"You must not expect that any scheme will be successful for the government of Ireland which sets up, either directly or indirectly, this Imperial Parliament as a Court of Appeal on the acts of the Irish Legislature. Such a position would be an intolerable one for this House, and would be still more intolerable for the Irish legislature. I say our position would be much worse than it is at present if, after having constituted a local legislature in Ireland, this House should act as a sort of 'a Court of Appeal to

<sup>1</sup> *Parliamentary Debates*, vol. vii. cols. 172-3.

revise, amend, or repeal any of the Acts of the Irish Parliament.”<sup>1</sup>

Mr. Redmond's position, then, is that the Imperial Parliament shall possess full supremacy in theory ; but that it must give a satisfactory undertaking that the overriding power which it possesses shall never be used ! If it were exercised it is not difficult to see that the demand for the abolition of the veto of the Imperial Parliament would be an Irish election cry, the popularity of which would outstrip the enthusiasm which Mr. Lloyd George in his wildest dreams ever imagined was attached to his Party's cry for the abolition of the Lords' veto. More than that, it would plunge Ireland into turmoil and discontent, and create a demand for Separation and independence. Instead of settling the Home Rule question it would only continue it in an extremer form.

So much for Mr. Redmond. What of the Liberal Home Rulers ? What do they mean by the supremacy of the Imperial Parliament ? Examination of their speeches discloses the fact that while they are always prepared to assert that it shall be maintained, they are backward in disclosing the manner of its preservation. In a frank moment Mr. Haldane disclosed to a Scottish heckler that his view was that the Imperial Parliament “would have the veto to abolish local legislation.” “But,” he added, “my earnest hope is that it will exercise that power very seldom”<sup>2</sup>—a qualification that does not remove his opinion far from Mr. Redmond's view, and entirely destroys the belief that Liberals propose effective and operative restrictions on the acts of the “sub-ordinate” Irish Parliament.

The lesson to be learnt from these extracts is that

<sup>1</sup> *Parliamentary Debates*, vol. viii. col. 1469.

<sup>2</sup> Bolton, December 7, 1910.

no attention should be paid to the Liberal protestations of their desire to maintain unimpaired and unrestricted the authority of the Imperial Parliament; for not only is it impossible, but the Irish Home Rulers would not accept a scheme which contained any effective provisions for retaining such supremacy; and have already protested that a measure like the Home Rule Bill of 1893, which only reserved a nominal supremacy, could not be regarded as a final settlement. Indeed, it would be most inconsistent of them to do otherwise, since the basis of their demand is "Ireland a nation"; and no measure could satisfy that demand which in any way retained a shadow of Imperial supremacy.

It is perfectly true that Irish Home Rulers do not allow this full aspiration to appear in the definition of Home Rule which they are accustomed to use on British and even sometimes on Irish platforms. But it forms an item in the toast list at every Home Rule banquet, and the sentiment frequently appears in the orations of Home Rulers, being used by some perhaps without a full appreciation of the conclusions to be derived from it. Mr. Redmond, however, can scarcely be placed in this category. When he expresses his approval of "Ireland a nation" it is to be presumed that he at least thoroughly understands what the declaration means. Yet it cannot be said that the Irish Nationalist leader has consistently kept that doctrine to the fore. On the contrary he has watered down his demand temporarily to meet political necessities. He declares to the British people that "the solution of the problem can only be attained by giving to the Irish people the legislative and executive control of all purely Irish affairs."<sup>1</sup> This definition of Home Rule falls very short of the surrender which would have to be made if the demand based upon the claim of nationality were

<sup>1</sup> Home Rule Motion, House of Commons, March 30, 1908.



acquiesced in. "Purely Irish affairs" is a phrase capable of a somewhat elastic definition; but taking it to mean affairs which do not operate outside the boundaries of Ireland—and that is the definition which Liberal Home Rulers would give to it—it is perfectly clear that in so restricted a sense the Imperial Parliament could legislate for and administer matters which affected the United Kingdom as a whole—the Army and Navy and foreign affairs, for example.<sup>1</sup> Not to give Ireland full self-government in respect of these matters is to deny to her the status of a nation. The question then naturally arises—would the Irish Home Rulers accept the grant of self-government over purely Irish affairs as a full, final, and complete settlement of their demand?

The truth is that they have never authoritatively declared that they would; but by inference and implication they have often shown that they would not. To do so would be to abandon the claim of Ireland as a nation, and it is only the cry of nationality that keeps Home Rule alive to-day. But their inability to repudiate the doctrine involves them in inconsistencies and difficulties through which they have to tread warily.

An example of the former is seen even in the wording of Mr. Redmond's Home Rule motion, where, after reciting the grievances from which Ireland suffers, he concluded by declaring that the solution was to be found by giving the Irish people control of all purely Irish affairs. If this be so, then there is nothing in the doctrine of "Ireland a nation," since the problem will be solved by something less than a recognition of nationality; and, to be consistent, Mr. Redmond ought to have

<sup>1</sup> As being "purely Irish affairs," Mr. Redmond enumerates "land, education, local government, transit, labour, industries, taxation for local purposes, law and justice, police, etc."—*McClure's Magazine*, October, 1910.

repudiated that doctrine as unnecessary, and as going beyond Ireland's needs. Mr. Redmond's quandaries do not end here. He has two parties to please. Home Rule can only become law by consent of the British electors,<sup>1</sup> through the good offices of the Liberal Home Rule Party. The latter have refused in any way to produce a scheme which shall diminish the supremacy of the Imperial Parliament, such as would be the case if the cry of nationality were recognised; nor would the British people agree to the establishment of an independent nation in Ireland. On the other hand, a moderate demand for a subordinate legislature, with powers restricted to certain matters, would not be a scheme over which Mr. Redmond's Irish followers could be expected to show great enthusiasm. More than that, a large part of the financial assistance which is needed for the maintenance of the Irish Home Rule Party at Westminster and in Ireland comes from Irish-Americans in the United States. They, at any rate, have no intention of regarding a measure short of independence as a full settlement of Ireland's claims. Mr. Redmond dare not anger them if he would, since to do so would soon reduce the Irish Party to bankruptcy. Mr. Redmond, then, cannot be so extreme that the British elector would be apprehensive, or so mild that the Irish-American contributors to his funds would decline further support. He and his followers are consequently forced to adopt an equivocal policy which neither adds to their dignity nor to their reputation for straightforward action. In Great Britain they are the most moderate of men, pleading for fair play for Ireland, and asserting that Home Rule is "calculated to promote the well-being of the people of Great Britain."<sup>2</sup> They have the greatest con-

<sup>1</sup> Unless, of course, the Government plan of limiting the powers of the Second Chamber becomes law.

<sup>2</sup> Home Rule Motion, March 30, 1908.

sideration for the feelings of the British elector, being careful to tell him nothing that would cause disquiet. But how different is their attitude habitually in the United States, and sometimes in Ireland! They know full well that Mr. Patrick Ford, the editor of the *Irish World*, and their most active worker on the other side of the Atlantic, has invoked the blessings of the Almighty upon any Irishmen who can see their way successfully to attack England and the Empire by physical force,<sup>1</sup> and those who look to him for light and leading are little likely to be moved by an appeal for Home Rule based on the argument that it would be for the well-being of the British people and the British Empire. One can easily imagine with what shouts of derisive laughter Mr. Redmond's words would be received at a meeting of the United Irish League of America or the Ancient Order of Hibernians. Mr. Redmond's followers are far too astute to make blunders of that kind; and, suiting their words to their audiences, they are given to show their enmity and hate of all that relates to Great Britain when it suits their company.

Without burdening the chapter with too many quotations, the following will be sufficient to show the character of the extremer speeches of the Irish Nationalist Party. First, Mr. Redmond himself, as the Irish Nationalist leader. His declarations are those to which the Liberal Home Rulers turn for material to refute the charge of conniving at Separation. It would not, of course, be at all surprising to find that they were throughout of a moderate character. Mr. Redmond occupies a responsible position. His words carry great weight, and are regarded, more than those of any other Irish Nationalist, as expressing the authoritative demand of the Irish Home Rule Party. What is

<sup>1</sup> *Irish World*, November 1899. See also Chapter VII., pp. 135-8.

Mr. Redmond's attitude towards independence? All his references to Home Rule, and his explanations of the Irish Nationalist demand, are governed by two declarations—one his own, "I stand on the question of Home Rule precisely where Parnell stood,"<sup>1</sup> and the other made for him by Mr. John Dillon, "Believe me, there has been no lowering of the flag in America, nor has Mr. Redmond made any statement in the slightest degree inconsistent with the settled policy of the Party."<sup>2</sup> These sentences are the reply to Liberal Home Rule assertions that the Irish Home Rule question is going to be settled by a grant of Home Rule less complete than was formerly offered.

Mr. Redmond has, in fact, never made a speech which could in any way be interpreted as hostile to or as overthrowing that section of his supporters whose demands are frankly for Separation. On the contrary, there have been occasions upon which the Nationalist leader has given utterance to sentiments which cannot be interpreted as other than declarations in favour of the full policy of "Ireland a nation."

Another Irish Nationalist politician whose speeches are worthy of careful consideration, by reason of the official position he holds as Secretary of the United Irish League and President of the Ancient Order of Hibernians, is Mr. Joe Devlin, M.P.

Mr. Devlin's own idea of Home Rule is plainly told by himself in a speech at Tipperary on November 23, 1907. There he said :

"He believed the majority of Irishmen shared the conviction that, provided such a thing were possible, the wrongs under which Ireland still suffered would justify her people in compassing the destruction of

<sup>1</sup> Interview at Chicago, *Cork Examiner*, October 19, 1910.

<sup>2</sup> East Cavan, October 16, 1910.



British rule in Ireland by force of arms. By the law of God, of nature, and of nations such resistance was fully justified. They did not want a mean or a petty concession of self-government, wrung either from fear or from necessity. They wanted a settlement of Ireland's claims which could be regarded as a National settlement. The Irish movement of to-day was the legitimate heir and successor of the movement of '67, just as much as it was the repeal movement and the movement led by Isaac Butt. It was summed up in the words—Home Rule."<sup>1</sup>

And at Cork, in September 1909, he declared that

"they all believed that Ireland's destiny was to be a free land under a free sky, but they were all agreed—the revolutionist of the past and the constitutionalist of to-day—that it was the function of practical and sane Irish patriots to utilise whatever instrument God and progress had given them to forge their way to Irish freedom."<sup>2</sup>

The opinions held by the organisation over which Mr. Devlin presides—the Ancient Order of Hibernians—are in no way clothed with uncertainty as to their meaning. Naked and unashamed they express directly the unequivocal view that "independence" is the goal, declaring in the official organ of the Order, the *Hibernian Journal*: "Our national ideal is a free and independent Ireland, subject to no outside control or influence."<sup>3</sup>

<sup>1</sup> *Irish Weekly*, November 30, 1907.

<sup>2</sup> *Freeman's Journal*, September 6, 1909.

<sup>3</sup> March 1908. It should be recorded as an illustration of the contempt Irish Nationalists have for British intelligence, that this same gentleman, whose declared policy and position as President of the A.O.H. are positive proofs of his adherence to Separation, referred in his election address to "national self-government which would make Ireland one of the most loyal, peaceful and prosperous portions of the British Empire"!

These extracts have been given solely with the object of arriving, after examination of the evidence, at some definition of Home Rule according to Irish Nationalist ideas. And in doing so the usual course has been followed of studying the public utterances of those who advocate a particular policy.

It is perfectly true that extracts can be given from Mr. Redmond's speeches expressing the demands for Home Rule in most moderate language.

The pronouncement that he stands "precisely where Parnell stood" is not of great assistance towards reaching an exact definition of the Irish Nationalist demand. Parnell was himself faced with the same difficulty as that which confronts Mr. Redmond—the necessity of allaying the fears of Liberal Home Rulers, while not forfeiting the confidence of those of his supporters who held more advanced views; and Parnell often gave expression to opinions which are not easy to reconcile. It is possible, no doubt, to quote extracts from Parnell's speeches which should satisfy the most timid Liberal Home Ruler; and also to find other sentiments which would fully justify his fears. Of the latter type there is the famous "last link" speech,<sup>1</sup> and a speech at Castlebar, where he said: "Speaking for myself, and, I believe, for the Irish people, and for all my colleagues, I have to declare that we will never accept, either expressly or impliedly, anything but the full and complete right to arrange our own affairs, and to make our land a nation; to secure for her, free from outside control, the right to direct her own course among the peoples of the world."<sup>2</sup>

<sup>1</sup> *Irish World*, March 6, 1880. The Nationalist denial that Mr. Parnell used these words is disposed of by the Parnell Commission, which reported: "The evidence leads us to the conclusion that Mr. Parnell did use the words attributed to him, and they certainly are not inconsistent with some of his previous utterances."

—*Report*, p. 21.

<sup>2</sup> November 3, 1885.

No more than Parnell does Mr. Redmond close the door against independence. From his speeches of some years ago quotations of the same character can be drawn in abundance. There is, however, no need to rely upon the older extracts, since the more recent utterances, as indeed is expected in the case of one who has not "lowered the flag," are couched in the same tone. At New York in September 1904, at a Nationalist Convention, the following resolution was passed:

"That in supporting Home Rule for Ireland we abandon no principle of Irish nationhood as laid down by the fathers in the Irish movement for independence—from Wolfe Tone and Emmet to John Mitchel, and from Mitchel to Chas. J. Kickham and Chas. Stewart Parnell."

Speaking in support of that resolution, Mr. Redmond said:

"I don't think I ever heard a more magnificent declaration of Irish national principles. . . . That declaration put in the clearest way the meaning and essence of this movement—that is to say that it is no new movement—that it is the same old movement for which Hugh O'Neill and Owen Roe fought, the same old movement for which Emmet died."<sup>1</sup>

So at Waterford, in September 1909, Mr. Redmond said:

"The generation with which Captain O'Meagher Condon had worked had almost entirely passed away, but the presence of the young men of Waterford there that night meant that they upheld the same principles as the men who had associated with Captain O'Meagher Condon in working for the free-

<sup>1</sup> *Freeman's Journal*, September 21, 1904.

dom of Ireland. It showed that every man in the crowd knew the history of the Manchester rescue, and treasured in his heart of hearts the real meaning of the prayer in the dock, 'God Save Ireland.'"<sup>1</sup>

Declarations of this character are perfectly consistent with Mr. Redmond's more recent speeches in the United States. There, at Buffalo, he spoke of "the great goal of national independence"; and again at a mass meeting at Buffalo he spoke of "the soul of this Irish movement" being "the spirit of nationality."<sup>2</sup> The same sentiment was shown in the speeches he made on his return from the United States, when he said: "I stand here to-day, as I have stood for the last twenty-five years, for the principles of Irish nationality. . . . We in Ireland are out for the principle of nationality. Nothing will bribe us from that."<sup>3</sup> Alderman Boyle, one of the Nationalist M.P.'s who accompanied Mr. Redmond on his tour, was equally outspoken, saying at Buffalo: "We are determined that we also shall be self-governing, and we too can face the world and say, 'We are the sons of a free and self-governing and independent nation.'"<sup>4</sup>

Mr. T. P. O'Connor's recent visit to the United States and Canada as the accredited envoy and, for some part of one tour, the companion of Mr. Redmond makes his views of value as indicating the nature of the victory for the consummation of which the Irishmen of the United States are besought to contribute dollars. Readers too will find it amusing to compare these utterances with those of Mr. T. P. O'Connor a year later in Canada, when the Imperial sentiments of loyal Canadians had to be played upon for a similar financial pur-

<sup>1</sup> *Freeman's Journal*, September 9, 1909.

<sup>2</sup> *Ibid.*, October 13, 1910.

<sup>3</sup> *Ibid.*, November 14, 1910.

<sup>4</sup> *Irish World*, October 15, 1910.



pose.<sup>1</sup> Mr. T. P. O'Connor explained the Irish Nationalist attitude and demand at Haverhill in Massachusetts. He is reported by the *Irish World*, December 4, 1909, to have said :

"I can't tell you to a year or to a day when it will be, but I can tell you that after the next election, no matter which party is in power, the Irish Party will hold the balance. Our language to either party, Tory or Liberalist, will be, 'Give Ireland liberty or get out, and if you don't get out we'll kick you out.'"

And again in the same speech he said :

"Give to us as you gave to Parnell, and I'll promise you that within a few years, and a very few at that, the land of Ireland will belong to Ireland, her universities will be her own, and her liberty will be won so that her emblem will take its place along with the other flags of the world's nations."

At Toledo Mr. T. P. O'Connor also appealed for money. The Toledo meeting passed a resolution. These are the terms as set out in the *Irish World* (December 4, 1909):

"That the policy as advocated by Hon. (!) John E. Redmond and approved by the people living on the soil of Ireland, is the policy that shall have our hearty support and co-operation; that this support and co-operation will be given until the Irish Parliamentary Party will have won the national legislative and administrative independence of Ireland."

Not one of these resolutions or of the opinions in the quotations given above could be properly ex-

<sup>1</sup> See Chapter V., pp. 82-3.

pressed if the Irish Nationalist demand recognises the unimpaired supremacy of the Imperial Parliament. Liberal Home Rulers only consider the mild utterances of the Irish Nationalists worthy of attention.<sup>1</sup> The more advanced views they dismiss as meaning nothing. They are so committed to alliance with Mr. Redmond and his Party on this question that it is obviously out of the question for them to do otherwise if they are to attempt to retain the confidence of their countrymen. But to the impartial mind it is difficult to accept the view that Mr. Redmond and his colleagues are only worth consideration when they are moderate ; and can be dismissed as twopenny agitators when their speeches contain opinions which it is impolitic for the Liberal Party to do other than ignore. These men are, on the contrary, universally recognised as the leaders of the Irish Home Rule Party. They are experienced speakers in the House of Commons and on the platform. It would be doing them an injustice to presume that their words were used without a full and calculated recognition of the meaning and of the effect they would produce. Indeed, far from accepting the view that their more extreme speeches should be dismissed without consideration, it is urged that they show the real intentions of the Irish Nationalist Party. Their milder speeches need not be passed over. They are not inconsistent with their extreme orations. The latter are only a de-

<sup>1</sup> "All that we ask under the name of Home Rule is that on purely Irish questions, mark you, questions that cannot concern either the national or the Imperial interests of Englishmen, Scotchmen, or Welshmen, affairs that are purely and solely Irish, that in the management of these affairs Irish public opinion should be the governing power" (Bradford, January 10, 1910). "Well now, we in this country to-day are not asking for what is understood in England as Separation" (Dublin, January 21, 1910). And of the same character perhaps is Mr. Redmond's article in *McClure's Magazine* for October 1910 (reprinted in *Nash's Magazine* for December) to which reference has already been made.

velopment of the former ; and if the Home Rule of the milder demand were granted, no obstacle would be raised to an advocacy of the extremier scheme. The speakers are not contradictory ; they are merely anxious to please their audiences by giving them the type of speech they are the more likely to appreciate. It is because the extreme demand is logically and consistently a development of the mild request that the former deserves even more attention than the latter as expressing the ultimate end and aim of the Home Rulers.

It should not be forgotten that Irish Nationalists have never declared themselves as satisfied with the control of purely Irish affairs as a final settlement of the question. To do so, they would have to abandon their adherence to the doctrine of nationality. That they have not done. On the contrary, time and again it is asserted to be the very basis of their demand. "The right to be a nation"; "the right to enjoy the freedom to govern themselves given to all the nations of the world," are phrases which appear in every Home Rule speech ; and such utterances cannot be satisfied with less than complete independence and Separation.

No Liberal Home Rule scheme, with its safeguards for the indefeasible authority of the Imperial Parliament, would stop the agitation. "They would take as much as they could get"; but "whatever they got they would not express themselves as satisfied," was the candid declaration of an influential Irish Nationalist recently,<sup>1</sup> who had in more figurative language some few years earlier given expression to similar sentiments before an American audience : "The message we bear is from that illustrious leader of our Party, John Redmond. If there is any man who says to us as representing that Parliamentary movement, 'I don't believe in

<sup>1</sup> Prof. Kettle, ex-M.P., in Dublin, May 10, 1910.

your Parliamentary ideas. I don't accept Home Rule, I go beyond it. I believe in an independent Irish nation.' If any man says this, I say that we don't disbelieve in it. These are our tactics—if you are to take a fortress, first take the outer works."<sup>1</sup> This explanation of the outwardly moderate nature of the Irish Nationalist policy had already been given to the Irish-Americans in vigorous language by Mr. J. Devlin, M.P., who at New York in June 1902 said:

"I know there are many men in America who think that the means which we are operating to-day for the good of Ireland are not sufficiently sharp and decisive. . . . I would suggest to those who have constituted themselves the censors of our movement, would it not be well to give our movement a fair chance—to allow us to have as owners the tillers of the land, to have an Irish Parliament that will give our people all authority over the police and the judiciary and all government in the nation; and when equipped with comparative freedom, then would be the time for those who think we should destroy the last link that binds us to England to operate by whatever means they think best to achieve that great and desirable end? I am quite sure I speak for the United Irish League on this matter."<sup>2</sup>

Mr. Devlin's assumption was correct; for the policy of separation by instalments was officially confirmed by the leader of the Irish Nationalist party, Mr. John Redmond, during his recent visit to the United States. Speaking at Syracuse, he said: "We demand an Irish Parliament for Irish affairs, and subject only to the Irish people. Less than that we do not ask, and less than that we shall

<sup>1</sup> In New York, *Irish World*, November 24, 1906.

<sup>2</sup> *Irish People*, June 21, 1902.



not accept. They ask us to demand more ; and I answer, in the words of Parnell : ' Let us get this first and then demand more.' We do not set a limit on the march of the nation, but as practical men we want to see in our own lifetime that measure of independence which Great Britain has already given twenty-seven of its colonies."<sup>1</sup>

The Liberal Home Ruler who can, after these declarations, believe that the Irish Nationalist Party are going to be satisfied with a subordinate Parliament under the supreme and indefeasible authority of the Imperial Parliament, and that a measure upon such lines will be regarded with gratitude as a full, final, and complete settlement of the Irish question, must be of a singularly credulous disposition. These Nationalist explanations to Irish-American contributors disclose the whole plot, and fully justify the Unionist charge that a Liberal Home Rule Bill will be accepted only as a step towards Separation and the realisation of the real aim of the Irish Nationalists, which is to make Ireland "a nation once again."

<sup>1</sup> *Irish World* November 19, 1910.

## CHAPTER V

### HOME RULE—GREAT BRITAIN AND THE EMPIRE

ALTHOUGH even Liberal Home Rulers agree that Separation is a material matter for Great Britain, Home Rule is too often assumed to be purely an Irish question. Regarding the term as indicating that vague and shadowy policy of an Irish legislature, with an executive responsible to it, which passes for Home Rule in Liberal minds, its conferment on Ireland is generally spoken of in such quarters as if it were an abstract act of justice on the part of Great Britain, with which she was concerned in a moral sense, but which should not interest her in the way that an Education Bill or a Licensing Bill would do. It is perhaps not to be expected that Liberal Home Rulers should voluntarily offer to disclose the material effect the granting of Irish Home Rule would have on Great Britain. Obviously it would not be politic for them to do so; but to opponents of Home Rule this view of the subject possesses powerful arguments for their case.

The man in the street conceives Great Britain and Ireland as forming one integral whole. The United Kingdom and France, for instance, he knows to be two different entities, with distinct laws, customs, and languages. He would no more dream of seeing Mr. Lloyd George at Westminster introducing a Budget that should apply to France

than he would expect the French Chamber to pass an Education Bill for the United Kingdom. The two countries have two separate constitutions ; but Great Britain and Ireland have only one constitution. When this point is remembered, Irish Home Rule is at once seen to be a British question. Without going into constitutional arguments as to the possibility of preserving inviolate the supremacy of the Imperial Parliament under a Home Rule Bill, and looking at the matter only in its practical and workaday aspect, it is clear that if power is given to the Irish Home Rule Parliament to legislate upon and the Irish executive to administer certain subjects, they are, except in cases of emergency, forbidden ground to the Parliament at Westminster. Whereas to-day representatives from England, Scotland, and Wales vote and speak on Irish questions, just as Irish representatives do on questions affecting Great Britain, under a Home Rule Act representatives from Great Britain would have no cognisance of Irish questions. That should, of course, carry with it the corresponding restriction on Irish members taking any part in British questions. Here, at the *outset*, is clear evidence of Irish Home Rule meaning a new constitution for Great Britain, and being therefore not merely an Irish but a British question of great import to British electors. Further examination of the Liberal scheme of Home Rule in its working shows that it becomes more and more a question profoundly affecting Great Britain, not alone in the sense that it means a new constitution, but that it throws our present Parliamentary practice and procedure into the melting-pot, out of which there can only emerge a new system, full of uncertainty and injustice to Great Britain, and bringing neither satisfaction, contentment, nor finality to Ireland. The insuperable difficulty of any scheme of Liberal Home Rule is the Irish

member. Nationalists maintain an attitude of indifference to the problem, which may be real or, as they recognise the impossibility of a solution, assumed. Three courses are open to the Liberal Home Rulers. They may banish the Irish members entirely; leave them, as now, to vote upon and discuss all questions; or forbid them to take part in British questions and permit them only to exercise their natural eloquence and their votes upon those questions which affect Ireland equally with Great Britain. All three courses have at one time or another been proposed by the Liberal Home Rulers. The Bill of 1886 excluded Irish members from Westminster; that of 1893, as introduced, retained them, but refused them the right to vote or speak on purely British questions: as amended, it admitted them for all purposes.

To take the last proposal first: Clearly, if Irish representatives are to have as much right to participate in British questions as British representatives, Home Rule is as much a British as an Irish question. If such a solution were adopted, the gravest injustice would be inflicted upon Great Britain. British electors, by the Act, would not be permitted to have a voice in Irish affairs; nor would they even be allowed to have free and unfettered control of their own affairs. It is perfectly easy to conceive that a Government at Westminster dependent upon the Irish vote might, by their help, pass an Education Bill or a Licensing Bill for England or Scotland to which a majority of the representatives from Great Britain were totally opposed. It is no answer to say that they might do so now. The fundamental position under a Home Rule Act would have been completely altered. To-day the United Kingdom is an undivided whole, and though Bills may refer only to a part, all the representatives at Westminster, from the fact that it is a Parliament for the United



Kingdom, have a right to vote and speak upon any question that may come before it. No one could object to the Irish Nationalists taking part in the debates on the English Education Bill in the interest of the Catholic schools, any more than objection could be raised to English or Scottish members voting or speaking upon the Irish Land Bill. Under a Home Rule Act there would be a decided injustice in Irish members interfering with an English Education Bill if British members were prevented from participating in the discussions or divisions on an Irish measure.

This effect of Home Rule under these conditions is so grotesque that little surprise will be felt at Liberal Home Rulers turning to the "in-and-out" policy as a less unjust proposal. But in its working it would not be less absurd; and certainly, so far as Home Rule is to be regarded as a British question, more than ever it affects the British elector. If Irish M.P.'s are to sit at Westminster to discuss Imperial questions, but are barred out from taking part in British questions, the effect would be to set up in practice not two but three Parliaments. There would be an Irish Parliament at Dublin dealing with Irish questions; a British Parliament at Westminster composed of representatives from England, Scotland, and Wales dealing with British questions; and an Imperial Parliament at Westminster composed of representatives from Great Britain and Ireland dealing with Imperial questions and questions affecting all parts of what, for these purposes, must still be regarded as the United Kingdom.<sup>1</sup> To-day Imperial questions—those affecting not only all parts of the

<sup>1</sup> It is assumed that it would be possible to distinguish between British and Imperial questions. Mr. Gladstone in 1886 was of the contrary opinion. "All depends," he said, "on the practicability of the distinction. I have thought much, reasoned much, and inquired much with regard to that distinction. I had hoped that it

United Kingdom alike, but those of which the direct result is elsewhere—Indian questions, for instance—and matters affecting only some one portion of the United Kingdom are under discussion in no settled order. Between an English and Irish debate a discussion upon a colonial or naval question may intervene. Obviously, if the Irish members intended to exercise to the full their right to take part in debates which were not solely confined to British questions—using the term in its restricted sense—they would have to be at Westminster kicking up their heels in idleness during a great part of the Session. Nor could any rearrangement of business remove the difficulty, for Imperial questions, under the rule which permits a motion for adjournment to be made upon a question of urgent public importance, could be brought on at any time. A way out would be to postpone the debate until the Irish members had been collected at Westminster by train and steamer, a proposition which cannot be taken seriously. Or the constitutional practice of urgency motions would have to be abandoned—a course so contrary to time-honoured public right that he would be a bold Minister who would venture to suggest it.

But these difficulties are mild indeed to the impossible situation that would arise from the Government at Westminster having to be responsible to two different assemblies. By constitutional custom a Ministry defeated in the House of Commons upon some matter of importance has no option but to resign. Bearing this in mind, what course should be taken in the event of a situation

might be possible to draw a distinction, but I have arrived at the conclusion that it cannot be drawn. I believe it passes the wit of man; at any rate, it passes not my wit alone, but the wit of many with whom I have communicated." (House of Commons, April 8, 1886; *Speeches*, vol. ix., p. 21.)

arising of the following nature? A Government at Westminster might for British questions enjoy a clear majority of British representatives; but on Imperial questions it might be dependent upon the Irish vote. That Government might introduce a Tariff Reform Budget. The Irish Nationalists, having no settled views on this matter, would put their votes up to auction. Liberal Home Rulers, when the Budget negotiations are remembered, will not feel insulted if it is suggested that they might take advantage of this position to preserve Free Trade by an extension of Home Rule. The coalition would insure the defeat of the Government on an Imperial question, while so far as British questions were concerned they still enjoyed the confidence of the majority of British representatives. What should the Government do? Should they resign? If they did, clearly the Irish representatives, although debarred by statute from taking part at Westminster in British affairs, would have exercised an unmistakable control over such questions to the extent of turning out a Government which possessed the approval of Great Britain. How would Home Rule in this instance mean giving the British people the full control of their own affairs? If the Government did not resign, they would be in the impossible position of having to pass a Budget, to which they were opposed, which could only become law by favour of the Opposition. The only other course would be two Ministries at Westminster—one for Imperial affairs and one for British affairs—both sitting in the same assembly, and playing "Box-and-Cox" in the House of Commons, just as the turn of business happened to bring questions under these two categories into discussion. The situation would be eminently worthy of a farce, and not of the greatest Parliament in the world. Under such conditions the British Empire would not be worth many years' purchase.

Again, let it be supposed that the Tariff Reform Government possessed a clear majority over all parties, and that the Tariff Reform Budget became law. No one imagines that under such circumstances the powerful interests in this country which are supporting the Free Trade policy would abandon their opposition to Tariff Reform. On the contrary, agitation would wax fierce, and every effort would be made to bring about the failure of the new fiscal system. Would Irish Nationalist representatives refuse a ready assistance for a price? Would they not declare Tariff Reform to be opposed to the will of the people of Ireland? With the help of the Dublin Parliament resistance would be made to all attempts to enforce the new duties. Their argument would be that, just as it was right that Ireland should have what she desired in the way of education or licensing, so she ought to possess a similar right to tax herself. The controversy there would take the form of a demand for extended Home Rule approaching to independence and Separation. It is not difficult to imagine a similar state of things arising on such questions as the Navy—upon which "little Navy" Radicals and Irish Nationalists are in agreement—or upon taxation to meet the cost of a war: the South African War brought the same political groups into close contact by reason of an identity of views. Co-operation of this nature is more than possible. That the contingencies are quite likely to arise under a Liberal Home Rule scheme at once gives direct contradiction to the Liberal plan for Irish Home Rule on the ground that it would bring contentment to Ireland, and relieve Great Britain of an uncertain factor in her political life.

It is quite true that Irish Nationalists do now by reason of their opportunist policy introduce into politics an unknown and disturbing element. It is equally certain that under any Liberal plan of



Home Rule they would have similar opportunities of precipitating political crises, and with results vastly more serious than at present. Limited Home Rule would not remove the irritation they cause. Such trouble could only be overcome by banishing completely the Irish Nationalists from Westminster; but the course carries with it the abandonment of the outward sign of the Dublin Parliament being only a subordinate body. Liberals insist that the indefeasible authority of the Imperial Parliament must be safeguarded. Who, however, would be prepared to argue that its supremacy was preserved in its previous entirety if the Irish electors sent no representatives to Westminster? It is clear that they could not be forbidden without at the same time enacting that the Imperial Parliament should abandon all legislation and administration affecting Ireland as part of the British Empire. In the region of foreign policy, the declaration of war or the making of peace, the decisions arrived at would be the result only of the votes of British electors. Ireland would have no voice, and having no voice how could she reasonably be required to obey—to contribute, for instance, her share towards the cost of a war? Ireland would have to be allowed her own foreign policy—and as a consequence her own army and navy; in fact to go her own way—a course which the Liberal idea of Home Rule prevents them suggesting. But not to grant it would be a glaring injustice, since it would tax Ireland for the cost of an army and navy by the votes of a Parliament in which she was not represented. It was the same policy which produced the revolt of the North American Colonies. It might be suggested that, so far as ordinary annual expenditure on defence was concerned, the Dublin Parliament could vote a lump sum. That body, however, might attach to it certain conditions impossible of fulfilment: they might only agree to a reduced

amount ; or they might refuse altogether to contribute as a protest against a war—not an unlikely event when regard is had to the habitual attitude of the Irish Nationalists towards our enemies. “England’s necessity is Ireland’s opportunity,” and Irish Nationalists would be more than human if they did not attempt to make a Home Rule Act which only gave them a portion of their demand impossible in practice. How would the Imperial Parliament act under such circumstances ?

Difficulties too would arise with regard to ordinary legislation. No Imperial Act of Parliament affecting Ireland, which would have to be administered by Irish officials, would be operative if the Irish Parliament were not in favour of it. If, on the other hand, the Irish Parliament exceeded its powers—a contingency well within the bounds of possibility when it is remembered that the Nationalist policy is to use whatever is granted them as a means for getting further concessions—what is to coerce them into obedience ? There would be, it is true, the traditional veto of the British Sovereign and the veto of the Imperial Parliament. Under existing circumstances the former has dropped into desuetude, while Mr. Redmond requires an undertaking that the latter should never be used. What a confession of Liberal Home Rule failure it would be if either were revived for the purpose of refusing assent to an Act passed by an Irish Parliament ? If such veto were exercised, the Irish Government would undoubtedly resign. No other administration could take its place. Who then would govern Ireland ? Chaos would result unless the Imperial Parliament annulled the Irish constitution and again took over the reins of government. What would that lead to but the recommencement of the old struggle, with its lawlessness and agitation ? Liberal Home Rule, whatever form it takes, offers no finality ; and in no way relieves Great Britain from

attention to Irish affairs, or from the incubus of Irish Nationalist politicians.

Outwardly, at all events, these difficulties would not exist if Home Rule took the form of Colonial Self-Government. Irish Nationalists indeed put this forward as a definite demand. "There are already Home Rule constitutions in the British Empire," they say; "why should there not be another?"<sup>1</sup> and they have seized upon the grant of a constitution to the Transvaal as an encouragement and excuse to demand similar treatment for Ireland.

Apart from the fact that there are many forms of government in the British Empire, differing in fundamental respects from one another, the analogy breaks down, since the British Dominions do not enjoy self-government on the grounds of nationality: Australia, Canada, New Zealand or the Cape are not regarded as separate nations, but as forming, with ourselves and other Colonies and Possessions, the British Empire. Ireland, on the other hand, claims Home Rule on the ground that she is a separate nation, just as Germany or France. It is evident, then, that no grant of Home Rule on the Colonial plan would satisfy the ideal that is contained in the Nationalist toast "Ireland a Nation." The next distinction is geographical. Owing to the impracticability of governing Dominions thousands of miles away from Downing Street, and of their representatives sitting at Westminster, short of administering them as Crown Colonies—an utterly impossible plan—local Parliaments had to be established. But does any one suppose that if the Transvaal, for example, occupied the position of Ireland, she would have been granted a separate

<sup>1</sup> Irish Nationalists are very uncertain as to the precise number of existing examples of Home Rule to be found in the British Empire. Mr. Redmond has put them on different occasions at 23, 24, 27, and 28!

Parliament rather than have had her representatives incorporated into the Imperial Parliament at Westminster? Whatever argument there might have been in the old days for an Irish Parliament on the plea that communication was uncertain between Ireland and Westminster, it does not exist to-day, when Great Britain and Ireland are connected by regular and frequent lines of fast turbine steamers, by the telegraph and the telephone. If distance from Westminster is the test for Home Rule, the north of Scotland ought long ago to have had a Parliament at Inverness.

Again, if the movements which brought about the grant of recent Colonial constitutions are examined, they will be found to have originated in the desire to build up and strengthen the existing form of government, and to facilitate administration. The Irish Nationalist demand for Home Rule is based on the opposite principle of disintegration. It would not bring into existence a more co-ordinated form of government for the United Kingdom. Could any one who has read the previous pages even assert that it would render the task of our administrators easier?

Besides it has to be remembered that the Colonies are loyal. They desire to remain within the Empire. Irish Nationalists, on the contrary, have openly boasted of their disloyalty. Their object is not to be part of the British Empire, but to attain nationality. Herein lies a great difference between Ireland and the Transvaal. Although we had recently been at war with the Transvaal, yet after the declaration of peace the Transvaal leaders accepted the inevitable. They did not go about threatening the United Kingdom with what would happen unless they were granted self-government; or assert that whatever form of constitution might be given to them would only be used as a weapon for extorting further concessions. Had their leaders adopted this attitude,



can any one imagine that the Transvaal would have received representative institutions? Boasted disloyalty did not win her Home Rule: is there then any reason why similar professions should be an argument for Irish self-government? Though its improbability will strike the reader, there is still this further argument against the analogy between the position of Ireland and the Colonies. Take the extreme case of say New Zealand desiring complete independence. The United Kingdom could without more than deep feeling of regret accede to the wish. Such action might lessen the standing of the Empire in relation with other Great Powers, but so far as immediate danger to the United Kingdom was concerned, the change could be regarded with indifference. On the other hand, Ireland's proximity to Great Britain makes it impossible for British statesmen to regard her independence without anxiety. An independent Ireland, and (if Nationalists tell us the truth) a hostile Ireland, and therefore a possible ally of our enemies in time of war—with magnificent harbours, lying athwart the routes of our commerce and grain-carrying vessels—would be so great a danger that its possibility could not be regarded with other than deep misgiving. The suggested analogy with the Colonies breaks down entirely upon examination.

Colonial opinion is often referred to as approving Home Rule for Ireland. The views are not surprising when it is remembered that self-government has been attended with the happiest results in their case. No one presumes, however, that Colonial statesmen have given detailed attention to the subject. Had they done so there is little reason to believe that they would not soon have recognised that the peculiar conditions affecting the Irish demand allow of no comparison with their own position. To petition the Sovereign in favour of Irish Home Rule, as the Australian Parliament did, out of "desire for the

solidarity and permanence of the Empire as a Power making for peace and civilisation,"<sup>1</sup> while evidence of good intentions, is proof of entire ignorance of the real aims and ambitions of the Irish Nationalist Party. There is of course much that is attractive to all in the idea of Imperial Home Rule. It had the support of no less an Imperialist than Cecil Rhodes, and it has been put forward time and again by persons in and out of Ireland who aspired to satisfy the claims of Irish Nationalists in a manner that would not be inconsistent with Imperial consolidation. Recently it has been revived under the title of Federal Home Rule. Liberal Home Rulers have seized on this name with avidity, as affording them justification for a denial of the charge of Separatism. But it will be found upon examination that the term "federal" is used in two entirely different senses by Liberal Home Rulers and Irish Nationalists, with the exception, sometimes, of Mr. T. P. O'Connor, M.P. By Federal Home Rule the Liberal Home Ruler means that policy which is more popularly described as "Home-Rule-all-round." It contemplates a Parliament at Westminster dealing, as now, with Imperial affairs and with questions pertaining to the whole of the United Kingdom; local matters, affecting only a portion of the United Kingdom, would devolve upon local Parliaments, of which there would be four—one each for England, Scotland, Wales, and Ireland. To this scheme of Federalism the Irish Nationalists have never given their consent. They have, it is true, often used the word "federal." The Home Rule Conference of 1873, under the presidency of Isaac Butt, when it formulated a demand for a federal arrangement, had in mind a vastly different scheme from that approved by Liberal Home Rulers to-day as a refuge from the difficulties of Gladstonian Home Rule. The Liberal plan contemplates a relationship to the Imperial Parliament, on terms of

<sup>1</sup> See *Freeman's Journal*, October 20, 1905.

perfect equality, of a number of subordinate legislatures for certain parts of the United Kingdom, rendered necessary by the overworked condition of the Imperial Parliament. When Irish Nationalists speak of the federal solution they mean separate and preferential treatment for Ireland, the relationship being between an Irish Parliament and the Imperial Parliament, which would continue as now to legislate for an undivided Great Britain. The demand, moreover, is not made solely from the desire to secure the more efficient conduct of public business, but upon the right of Ireland to possess Parliamentary institutions of a character to which other portions of the United Kingdom can lay no such clear claim.

While then it is perfectly clear that Liberals and Irish Home Rulers differ fundamentally in their conception of the meaning to be attached to the phrase "Federal Home Rule," the former only considering the case of Ireland as part of a larger scheme, whilst the latter regard it as the scheme itself, the divergence in practice is less by the surrender of the Prime Minister to Mr. Redmond's demand that Ireland shall not be called upon to wait until the whole scheme of Federal Home Rule is prepared. It is surely a necessary accompaniment of a plan of "Home-Rule-all-round" or Federal Home Rule that the constituent states shall simultaneously receive their new powers. To single out any one of the proposed divisions for special treatment in point of time is to abandon every claim for the superiority of the scheme over the frank surrender of the Gladstonian plan to the demands of Irish Separatists. Yet that is precisely the policy the Prime Minister intends to adopt. Mr. Redmond declares that he is not going to wait until England, Scotland, and Wales succeed in getting Home Rule.<sup>1</sup> In fact, the Liberal plan of "Home-Rule-all-round," while allowing Liberal Home Rulers on

<sup>1</sup> Wexford, November 27, 1910.

the platform plausible arguments for denying that they are giving to Ireland what they refuse to the other parts of Great Britain, is not to be permitted to proceed further to realisation. Mr. Redmond bars its progress; and the Prime Minister acknowledges that "the case of Ireland is one that is prior in point of time and urgency."<sup>1</sup> It is difficult to regard without indignation a policy which permits Cabinet Ministers of the type of Sir Edward Grey and Mr. Haldane, as well as many Liberal members, to pin themselves to "Home-Rule-all-round," and a scheme of equal and simultaneous devolution of local powers to four local legislatures throughout the United Kingdom, and at the same time contemplates special and preferential treatment in point of time for Ireland. The fact would seem to be that the Liberal devotion to Federal Home Rule is only assumed to avoid the difficulties of the discredited policy of the Gladstonian plan. To give Ireland Home Rule by a special measure which does not apply to the other portions of the United Kingdom, is to revert to the old scheme of Gladstone, and no objection to it is removed or weakened by pious aspirations of adherence to the principle of equal treatment all round, the time of the application of which is indefinite and vague.

While then, unless the plans of the Government undergo alteration, there is no difference with the Irish Nationalists in the intention to deal with Ireland and only Ireland in the Home Rule measure that is to be introduced, there is considerable confusion among both Parties, and even in the speeches of Mr. Redmond, as to the type of colonial constitution upon which the Irish Home Rule Bill is to be based. Two kinds of colonial constitution are indiscriminately referred to as affording an analogy to the proposed Irish Home Rule measure. There is the practically independent constitution of which

<sup>1</sup> St. Andrews, December 7, 1910.



the Canadian, the Australian or New Zealand Parliament is an example; and there are the strictly local and subordinate Parliaments of which the legislatures of Quebec, Ontario, the States of the Australian Commonwealth, and the Transvaal are examples. To the question which of these types have Mr. Redmond and the Irish Nationalist Party in mind when they ask for a measure of Irish Home Rule on the Colonial plan, it is impossible to return a satisfactory and conclusive answer. Mr. Redmond has, in fact, referred at times to both types of colonial constitution as representing his demand. "All we want under the name of Home Rule is as much freedom in purely Irish affairs as they gave the other day in purely Transvaal affairs to the Boers," he said at Manchester on January 9, 1910; while on the following day at Bradford he declared: "We are asking a Parliament similar to the Parliament in Canada, Australia, and South Africa." So again in the debate on Home Rule in the House of Commons on March 30, 1908, he referred to both the colonial self-governing constitutions and the local subordinate colonial legislatures as illustrations of the Irish demand.<sup>1</sup> The two types of constitution are so different that they cannot both be taken as representing the desires of the Irish Nationalists; and the fact that Mr. Redmond does not think it inconsistent to refer to both should perhaps be taken to show that he does not mean that the analogy is more than a general indication that the British Dominions have Home Rule and that Irish Nationalists want Home Rule, without in any

<sup>1</sup> MR. REDMOND: "That what you have done for Frenchmen in Quebec, what you have done for Dutchmen in the Transvaal, you should now do for Irishmen in Ireland" (*Parliamentary Debates*, col. 133). EARL PERCY: "Does any one really suppose that if Australia or Canada occupied the same position of proximity that Ireland does, we should have given them the same measure of self-government that they have now?" MR. REDMOND: "Certainly you would" (cols. 150, 151).

way deducing from the colonial constitutions referred to, the nature or details of the Home Rule measure. The only prominent Irish Nationalist who has identified Home Rule at all precisely with one type of colonial constitution is Mr. T. P. O'Connor, M.P., who, during his Canadian tour, rejected the likeness of the Irish Nationalist demand to the self-governing Colonial Parliament,<sup>1</sup> and specifically approved "of a Federal scheme of government for the four kingdoms of the British Isles, such as the Provinces of Canada enjoy under a central Government."<sup>2</sup> It is not, however, to be supposed that too much attention was intended to be given to Mr. T. P. O'Connor's Canadian speeches. While, if delivered in the House of Commons or in Ireland, they would have demanded close consideration from the conditions under which they were made, the fact that the opinions were expressed during a tour through the loyal Dominions of the British Empire is sufficient to claim for them special and extenuating circumstances. It accounts for the silence and absence of repudiation on the part of Irish Nationalist leaders, who found it necessary to deny that Mr. Redmond in the United States had lowered the flag by expressing similar views. Mr. T. P. O'Connor's utterances were *ad hoc* speeches, and had no more bearing upon the demand officially put forward by the Irish Nationalist Party than had Mr. Devlin's opinions in favour of Federal Home Rule and his professions of loyalty to the Empire during his tour in Australia in 1906. Irish Nationalists are always Imperialists in British overseas Dominions, and enemies of all things British else-

<sup>1</sup> At Ottawa on October 4, 1910: "Sometimes we are described as wanting the same thing as the Dominion of Canada has. I wish we could get it, but we know we cannot—not in my time at any rate."—*Montreal Star, Weekly Edition*, October 12, 1910.

<sup>2</sup> Ottawa, October 4, 1910, as reported in *Freeman's Journal*, October 5, 1910.

where. "While they were in Australia the danger was to avoid being too disloyal; in America the danger was to avoid being too loyal"<sup>1</sup> is a sentence originally applied to the tour of the Redmond brothers, but is also the explanation of the opinions of every Irish Nationalist speaker in the Dominions since. The necessity for an altered tone is fully recognised in Ireland; hence the calmness with which Irish Nationalists read of their spokesmen giving expression to opinions which would cause a riot at any Nationalist meeting in Ireland.

It should also be noticed that by insisting upon the colonial analogy of Irish Home Rule the Nationalists are able to maintain at any rate an outward show of agreement with the Liberal Home Rulers, whose arguments, to a very considerable extent, are based upon the same foundation. The identity of views, however, is not maintained beyond the general idea. For whereas the Irish Nationalists indifferently refer to both independent Dominion Parliaments and subordinate Provincial Parliaments as illustrations of Home Rule, the Liberal Home Rule leaders have clearly ruled out the former. Lord Crewe declared that "he would never be a party to a proposition which placed Ireland in a position of practical independence such as that possessed by New Zealand. The circumstances of the two places were entirely different in a large number of respects. Sooner than that, he would see Ireland deprived of its Parliamentary representation and governed as a Crown Colony."<sup>2</sup> It is hardly conceivable that Liberal Home Rulers can believe that the grant of a strictly subordinate Parliament, restricted in its powers and liable at any time to see legislation passed over its head by the Imperial Parliament

<sup>1</sup> *John Redmond, the Man and the Demand*, by H. G. Redmond-Howard, p. 40.

<sup>2</sup> *Whitchurch*, February 12, 1902.

upon questions which it believes are of local application and should rightly come within its terms of reference, will satisfy the aims and aspirations of Irish Nationalists. The frequently quoted instance of Canada being transformed from a discontented to a satisfied and loyal colony by the grant of Home Rule in 1841 breaks down upon examination. The fact is that Canada since 1791 had enjoyed almost exactly that restricted measure of Home Rule which Liberals propose to confer upon Ireland. The discontent that prevailed was only dissolved by the grant of a measure of self-government and practical independence which Liberals declare they have no intention of conferring upon Ireland. It should not, however, be assumed that this amounts to an opinion in favour of a larger measure of Irish independence. The natural circumstances of Canada and Ireland are different; and there is also to be taken into account the influence of the Irish-Americans, which, just as it is now exerted in the direction of persuading Canada to proclaim her independence or to join the United States, would be used in Ireland in the same manner, with the greater chance of success, since it would fall upon prepared ground, accustomed to give attention to opinions coming from that quarter.<sup>1</sup>

<sup>1</sup> "Canada's proper place is in the Union. Its political connection with England has become, in the course of time, more formal than real. At present it confers no benefits upon Canadians, whilst it involves potential dangers in the event of England becoming entangled in a quarrel with a first-class European Power. These dangers would be avoided by Canada either by declaring her independence or by becoming a part of the United States."—*Irish World*, July 2, 1910.



## CHAPTER VI

### WHO ARE AGAINST HOME RULE

THIS and the following chapter are devoted to an analysis of the forces in Ireland against and for Home Rule. By its supporters it is spoken of as a national demand. The assumption is incorrect. A large minority is opposed to Home Rule in any shape. Its existence complicates the question. When examining the necessity for Home Rule on administrative grounds, or when discussing the effect of granting it on Great Britain and the Empire, Ireland is regarded as a whole. Approaching this aspect of the controversy, however, the Irish people are seen to be divided into hostile camps. The electors of Great Britain, upon whom rests the responsibility for the verdict, since its adoption or rejection depends upon their votes, have to decide whether the minority opposed to Home Rule is such that they are justified in ignoring it, or whether its composition is of so weighty a nature that it materially modifies the claims and arguments of the Home Rulers. They have to consider the numerical proportion of this minority, its standing in respect of the commercial, industrial, and intellectual activities of Ireland ; and whether its objections to Home Rule, so far as they differ from the general reasons against the policy and are peculiar to the position of the minority in Ireland, are well founded.

Approaching the minority question from the point of view of numbers, difficulties present themselves which prevent a reliable estimate being arrived at. The peculiar geographical situation of the minority, being concentrated for the most part in one district, and being there in a majority, prevents much value being attached to the rough-and-ready test of the result of a Parliamentary election. The fact that no less than fifty-three Irish Nationalist members were returned unopposed, and that in twenty other cases the contests were between factions of the Home Rule Party, is certainly evidence of Unionist weakness in these districts. More than that, if the electoral history of these constituencies is studied, it will be seen that the minority is permanently disfranchised, since only Nationalist candidates are brought forward. A scheme of Home Rule which left the minority in these districts no choice but to be condemned to perpetual silence in the government of their country and the taxation of themselves would stand condemned. Failing some scheme of minority representation, the Unionists of these districts have to look to the Unionists returned for Ulster constituencies to give expression to their opinions and ventilate their grievances. In the aggregate the Unionist electors who are disfranchised by the preponderance of the Nationalist vote number many thousands; and this fact endows the votes of Unionists where there are contests with more than the ordinary numerical value. Consequently the 59,333 Unionist votes recorded and the Unionist electors in the nine urban and rural constituencies where a Unionist member was returned unopposed speak for a larger number of the 698,787 electors of Ireland than would normally be the case. As a matter of fact, out of the 207,602 votes recorded at the General Election only 92,708 were for *official* Nationalist candidates; and even allowing them 90 per cent. of the electors in those constituencies

where *official* Nationalists were returned unopposed, the plurality of Irish electors who may be taken as supporting Mr. Redmond's policy only reaches about 70,000. It is not maintained that the votes which are not counted in Mr. Redmond's favour represent a homogeneous opposition. They do not : but they destroy his claim to be the leader of the Irish people, and to speak for a united Ireland. At least they demonstrate the existence of an active minority composed in a large part of Unionist voters, which is all that is required for the moment.

The above estimate is as a matter of fact too favourable to the Irish Nationalists, since (excepting the University seats) each Unionist borough member represents on an average 10,867 electors ; and Irish Nationalists of whatever kind only 5,954. There is the same over-representation of Irish Nationalists in the counties, though in a less degree, the average number of electors in Unionist constituencies being 7,897, in Irish Nationalist constituencies 6,608. A redistribution of Irish seats, even if accompanied by a reduction of number, would justly be in favour of Irish Unionists.

Another estimate, which may be given for what it is worth, is founded upon the religious persuasions of the Irish people as recorded in the Census returns. The result certainly favours the Home Rulers, since Roman Catholic Unionists, among whom are many well-known Irishmen, are far more numerous than Protestant Home Rulers. The figures in the Census of 1901 are :

Roman Catholic	.	.	.	.	3,308,661
Irish Church <sup>1</sup>	.	.	.	.	581,089
Presbyterians	.	.	.	.	443,276

<sup>1</sup> Of these 204,773 reside in the one Ulster diocese of Down, Connor, and Dromore, and 98,796 in the diocese of Dublin : in the same way the great majority of Presbyterians are to be found in the north-east portion of Ulster.

Methodists . . . . .	62,006
All others . . . . .	59,150
Jews . . . . .	3,898
Information refused . . . . .	695

Upon these figures the Roman Catholics number just over 74 per cent. of the population, the Irish Church 13 per cent., the Presbyterians nearly 10 per cent., and the remainder the balance. So far then, from such information as is at the disposal of British electors, they would be justified in assuming that somewhere between a quarter and a third of the inhabitants of Ireland were opposed to Home Rule.

No more precise calculation is possible ; but the minority is sufficiently considerable in respect of quantity to entitle any investigator to examine it as to quality. Upon its composition would depend the weight to be given to its opinions. If it were composed of corner-boys and loafers, and men of straw, without a stake in the country, their views would command little consideration. On the other hand, if it was found that commerce, industry, intellect, and learning were largely represented in the minority, its existence would demand attention. There would be the negative evidence that men with such qualifications were not in the main Home Rulers, and the positive evidence that they were directly opposed to Home Rule. So far as the former is concerned the following confession by a prominent Nationalist could be put in : " Let us just quietly examine the composition of the United Irish League. On its roll of membership there are no landlords or ex-landlords, few merchants, fewer Irish manufacturers. There are few of the men who are managing the business of Ireland in city or town connected with the League. The bankers who regulate our finances, the railway or transit men who control our trade, internal and external,



even the leading cattle-men who handle most of our produce, are not to be found in its ranks."<sup>1</sup>

For positive evidence there are the petitions and protests against the Home Rule Bills. In 1893, as in 1886, the leading men of commerce and learning actively opposed the measure. Eighty influential captains of industry—Catholics and Protestants, Liberal and Conservative, representing bankers, merchants and traders in every business—in vain sought an interview with Mr. Gladstone. Protests were made by the College of Physicians, the graduates of Dublin Universities, the Chambers of Commerce of Dublin and Belfast, and the Dublin Stock Exchange. What further evidence was required would be found in the almost unanimous opposition of Protestant bodies.<sup>2</sup> It may for the moment seem strange that religion should be cited as proof of commercial dread of Home Rule, but it cannot be denied that where Ireland shows prosperity and progress in the most marked degree, Protestantism prevails.

It is impossible for any one to ignore the opposition of Belfast to Home Rule. To-day she is one of the biggest, most energetic, and commercially successful cities of the Empire. All her progress having been made under the Union, her inhabitants have little sympathy with Nationalists who declare that the present system of government is incapable

<sup>1</sup> Letter in *Freeman's Journal*, July 18, 1907, from Mr. A. J. Kettle, then a Treasurer of the United Irish League; one of the most respected of Irish Nationalists, and father of Professor T. M. Kettle, ex-M.P.

<sup>2</sup> The Church of Ireland sent a protest signed by the Primate, the Archbishop of Dublin, seven bishops, and some fifteen thousand vestrymen, the popularly elected representatives of the lay members of the Church; and the General Assembly of the Presbyterian Church unanimously passed resolutions against the Bill. The Committee of Privileges of the Methodist Church protested against it, and the Quakers also issued a manifesto against the measure. The threat of Home Rule at the recent General Election produced similar unanimous expressions of opposition.

of satisfactorily promoting the material progress of the people; and with such a record Belfast naturally fears the predominance of the backward portion of the country. No inducement can be found to gain Belfast for Home Rule. It offers no advantages; but threatens a check to her progress by creating insecurity; by possible restrictions on free intercourse; and particularly by placing in power a Party thoroughly hostile to every opinion that she holds. In 1783 Belfast numbered a little over 13,000 inhabitants; to-day her population is nearly 400,000. Over £18,000,000 is invested in the different branches of the linen industry; engineering, rope-making, distilling, the production of aerated waters, and a multitude of smaller industries, add to Belfast's industry and commerce. Pride of place, however, is the harbour. Without it Belfast could never have hoped to attain her present position. Not only is it essential to her trade; but it has enabled Belfast to attain pre-eminence in ship-building, and from her yards the greatest liners are launched. Belfast, however, was not naturally endowed with the advantage of a magnificent harbour. It is largely artificial—the result of the expenditure of much money, and of the foresight and energy of her inhabitants. Belfast Creek—the old name—sufficiently denotes the character of the water approach to the city in former times; and to see the river above the harbour at low tide is proof of the immensity of the task of making this waterway available for modern commerce. Before extensive works had been completed vessels of any size could not berth at the quays even at high tide: to-day the largest ships can discharge their cargo at the quays or be repaired in the graving docks. What British elector can ignore the opposition to Home Rule of a community so progressive and successful? Since the Union has not been an obstacle to Belfast's progress, would he too not be

entitled to doubt the Nationalist assumption that it stands in the way of Ireland's advancement ?

With the feeling that the quality of the opposition to Home Rule could not be overlooked, the inquiry would next be directed to the reasons advanced by the minority against Home Rule. This much would appear directly attention was given to this part of the subject—that whatever Home Rule might be for the Nationalists, certainly so far as the minority were concerned it would not mean self-government. On the contrary it would place them under the rule of a perpetual Nationalist majority, without hope that they could ever replace them in office. Herein the situation differs considerably from the Parliamentary position in Great Britain. The two great British parties, although differing considerably in policy, know that a rough kind of justice exists which balances the periods of office and opposition. The minority is only a temporary minority; the majority is fully aware that their period of power is limited. These conditions tend to modify the acrimony of party strife ; to modify the demands of the victors, and to lessen the bitterness of defeat among the vanquished. So, too, so long as political opinions cut through the various classes and do not coincide with class divisions, intercourse between men in the same station of life but of different political belief is preserved, and the policy of both parties when in power loses much of its purely party purpose and is to some extent a compromise between extreme views. Unfortunately there is in Irish politics none of this leavening. Religious beliefs, history, race, and the identity of class and politics prevent it. The minority, knowing that under Home Rule it will be entirely deprived of giving effect to its political views and believing that the Nationalist majority would use its power tyrannically, unjustly, and partially, offers an uncompromising resistance to the measure. It is true

that the opposition sometimes takes forms which to the sober-minded Englishman seem absurd, fanatical, and unreasonable. No doubt in England it would be so. But the Unionist part of Ulster is as it were a frontier state with an active enemy at its gates. There is therefore nothing out of the common in its inhabitants being full of ardour and the fighting spirit, and less easy-going, and disinclined to compromise. So far as the British Unionist is concerned he thinks Home Rule to be a bad policy, but he has no fear that personally it is going to harm him as an individual, though it may affect him adversely as part of the State. The Irish Unionist, in addition to opposing Home Rule as injurious to the State, is against it because he believes it will place him personally under the heel of an intolerant majority, differing from him in politics and religion. As a political opponent he cannot regard Irish Nationalist supremacy with equanimity; but his fears are further intensified by religious differences. Being one of the Unionist minority, he is with few exceptions a Protestant. This Protestantism is of deep and intense character, which naturally arises from its presence in a country where the Church of Rome is dominant. The official organisation of the United Irish League, save for occasional squabbles, is supported by the full powers of the Roman Catholic Church.<sup>1</sup> A Bishop is one of its treasurers; the Bishops generally contribute to its funds, and last year many of them showed their appreciation of its work by doubling their subscriptions; the Roman Catholic priest usually heads the contribution from the local

<sup>1</sup> The following extract is from a cable to the Bishop of Raphoe, a Treasurer of the United Irish League, from the officials of the U.I.L. of America: "Cardinal Vannutelli, Papal Legate, sent for Redmond, expressed his sympathy with the work of the Irish Party, and blessed their efforts."—*Freeman's Journal*, October 1, 1910.



branch, and is commonly the chairman at the local meetings, which are held throughout Ireland after mass on Sundays. The priests, too, play a prominent part in elections, acting as agents of the candidate in the polling station and taking their stand outside in the interests of their candidate.<sup>1</sup>

These are facts which impress themselves upon Irish Protestants; and it is surely not surprising that they look upon the supremacy which Home Rule would give to the Nationalist Party as being also a Roman Catholic supremacy. When they believe they have little reason to expect liberty and toleration from the rule of their opponents there is given to their dislike of Home Rule the fiercer touch of a religious conflict. They regard the supremacy of the Church of Rome as harmful not only to themselves, but generally as being an obstacle to the welfare and progress of the country. It is an opinion which is not absent from the minds of many Protestants in Great Britain. A volume has been issued recently by the National Council of Evangelical Free Churches—the full name of the organisation which has come to be regarded as officially representative of Nonconformity in Great Britain—

<sup>1</sup> The following illuminating extract is taken from the *Cork Examiner* of December 21, 1910, and refers to the constituency of West Cork: "At Baltimore the greatest enthusiasm prevailed on behalf of the Nationalist candidate, Mr. O'Leary; and the Rev. J. Lyons, P.P.; Rev. J. Cahalone, C.C., Cape Clear; Rev. T. Hill, C.C., Shirkin, supported by the respected Administrator of Skibbereen, Rev. J. Daly, Rev. T. O'Hea, C.C., Skibbereen, Messrs. T. Sheehy, M.C.C., John O'Mahony and others were in attendance watching the interests of Mr. O'Leary. To the Ballydehob No. 2 polling station the Rev. James O'Sullivan, P.P., Aughadown, accompanied a large number of his parishioners." It may not be out of place to mention here a particularly skilful move employed to override the secrecy of the ballot, which takes the form of forcing suspected opponents, who are amenable to pressure, to vote openly as "illiterates."

entitled, *Shall Rome reconquer England?*<sup>1</sup> It is written by two eminent Nonconformist divines—Dr. Horton and Joseph Hocking—and throughout the volume they give expression to sentiments respecting the Roman Catholic Church which in every way warrant the opposition of Irish Protestants to Home Rule on religious grounds. Under the heading “Why Romanism ruins a Country,” Dr. Horton writes: “The Roman Church dominates Ireland and the Irish, as completely as Islam dominates Morocco. Ireland, with the exception of Ulster, is the Island of the Saints, and exhibits more perfectly than any other part of Europe the virtue and value of the Papal religion. There the Catholic ideals are realised. There, under our indulgent government, Catholicism enjoys a liberty and power such as it enjoys nowhere else in the world. The traveller in Ireland sees everywhere the fine and costly churches and the comfortable presbyteries rising among the hovels of the people. Every hillside has its memorials of saints. The priests control not only the worship, but the life of the people. They have it all their own way. If the Irish peasant desires freedom, he emigrates to America. I am told that not only peasants but even priests frequently cross the Atlantic, not for economic or worldly reasons at all, but to escape from the rigid and perfected system of the Roman obedience, which is, as Catholics think, the supreme blessing, and, as Protestants think, the most crushing bane, of that lovely and melancholy land.”<sup>2</sup>

Joseph Hocking also refers to Ireland. “What,” he writes, “is the one part of our British Isles that cannot record progress, but rather tells of depopulation, discontent, decay? Ireland. Yet why should it be so? The Irish are naturally a

<sup>1</sup> National Council of Evangelical Churches : George S. Hirst, Memorial Hall, E.C.

<sup>2</sup> Pages 52-3.

kind, sunny-hearted, witty people. They live in a beautiful, fertile country. Why, then, should Ireland alone tell of depopulation, chronic poverty, ignorance, and want of progress? Why should Ireland be the open sore of British politics? In Michael McCarthy's book *Priests and People in Ireland* we learn the reason. Here was an educated Roman Catholic, here was a man who loved his country, who explained the reason. All through the book he shows that Rome, that priestcraft, paralysed the nerves and dried up the life-blood of the people. For we have to remember that not all Ireland is poverty-stricken or unprogressive. It is only in the Catholic South of Ireland where this obtains, for in the Protestant North of Ireland, where the people scorn the claims of Rome, you have progress, education, and prosperity."<sup>1</sup>

There is much in this volume to the same effect, but the two quotations given are sufficient to show that the fears of Irish Protestants are justified by opinions expressed in responsible religious circles in Great Britain. These two writers are earnest Liberals and Nonconformists. Believing as they have written, they cannot regard the opposition of Irish Protestants to Home Rule as being other than righteous and defensible. The Liberal Party is, to a very large extent, a Nonconformist Party. How, then, can Nonconformists in the Liberal Party, if they give any weight to the opinions of their leaders, support Home Rule for Ireland? The problem may be left there: when Home Rule again becomes *the* burning question, it will have to be answered. Sufficient evidence has been produced to show that the Irish Protestant's religious objections to Home Rule are justified. He is called an "Orange" bigot, and is told that he is always praying for toleration, but never practises it—a foolish charge, since it ignores the fact that a

<sup>1</sup> Pages 148-9.

minority cannot afford to be magnanimous. It cannot give an inch, lest the concession be used to weaken its position. Toleration is for the majority, since it can always recover what it has granted. While his opponents subject the minority to opprobrious epithets, they are at the same time seeking to appease him by fair promises, which are not, however, always without a threat concealed in the tail. An admirable illustration is afforded by Mr. Redmond, at Coalisland, in October 1906. In a speech there, after claiming that a majority of Ulster favoured Home Rule, he continued: "Let me say, so far as what I call to-day the minority in Ulster is concerned, that it should be our greatest and most sacred duty to go to any lengths short of surrender of principle to disarm their hostility and to remove their suspicions. . . . While I am convinced that we can, if we are put to it, win Home Rule in spite of this minority, I confess to you that I don't want Home Rule to come in the garb of a bitter hostility and political defeat for any intelligent and honest section of my countrymen. I know, of course, that there is one section of the minority opposed to us that has no title to the name of honesty or intelligence—a section that it is impossible, hopeless, to seek to conciliate or placate—a section that will, I believe, to the bitter end continue their policy of hatred and ascendancy. I am not speaking of them. After all, in reality they are only a handful even of the Protestants of Ulster, and *I fear that they must be overborne by the strong hand.*"<sup>1</sup>

As a cautious man the Irish Protestant and Unionist pays little attention to Nationalist words, whether they be denunciatory or promissory. Rather he looks to Nationalist deeds to supply him with evidence of the manner with which opponents are likely to be treated under Home Rule.

<sup>1</sup> *Freeman's Journal*, October 15, 1906.



Direct cases of oppression arising out of religious differences are perhaps less common than would at first sight seem probable. The reason lies in the cause of offence. The boycotted man, for instance, may be a Unionist and a Protestant, but the ostensible cause of his suffering is most likely that he refuses to give up a farm or to cease from supplying an "obnoxious" neighbour with provisions. In the same way open attempts by Nationalists to prevent freedom of speech for Unionists are not frequent, from the fact that in many places the Unionists hold no meetings; and in others, where public opinion is more equally divided, the constabulary authorities take elaborate precautions to prevent disturbance. The impartial hand of the Imperial Executive would be removed under Home Rule; and under the direction of a Home Rule Government the Unionist fears for liberty of action and freedom of speech. Where the Nationalist Party rule supreme to-day, events take place which to Unionists seem to be precedents of what would happen to them if their opponents held the reins of Irish government.

To put the matter as frankly as possible, Irish Unionists place little trust in Nationalist promises of toleration under Home Rule, since, to use Mr. Redmond's phrase, the official Nationalist organisation has always "overborne by the strong hand" any minority that declined to obey the "bosses." Unionists recall how the Parnellites were treated by their Nationalist colleagues. The bitter complaint of Mr. Willie Redmond is worth reproducing. At a meeting of the National League in March 1892 he said: "They in Dublin were lucky to live in that city, where they could congregate in vast numbers, and where intimidation of a spiteful kind dare not be attempted against them. They could go to Mass on Sunday with their families and worship the God who had made them without fearing they might be denounced from the altar in terms of reproach and

bitterness. The men in Cork, the men in Waterford, the men in all the cities, were all right ; but throughout the length and breadth of the land, in little country districts where the people lived in an isolated condition, where they seldom saw any newspapers, where they seldom had public meetings to give them courage, to inspire them and teach them, there were thousands of men through Ireland, farmers, shopkeepers and labourers, who, since the commencement of this struggle, had been suffering a life of hell because of the boycotting and persecution to which they had been subjected, because their consciences taught them to stick by Mr. Parnell."<sup>1</sup>

Old though this quotation may be, it illustrates a characteristic of the Irish Nationalist Party which continues to this day. How intolerant they are of those whose opinions differ from their own is shown by the treatment accorded to Mr. Ginnell and to Mr. W. O'Brien and his followers. Mr. Ginnell cultivated an individuality ; and there being no room for men with opinions in a pledge-bound party, Mr. Ginnell fell into disgrace. He dared to show an interest in the Party's finances, and was promptly and forcibly ejected from the Committee meeting. Later, when he and a deputation of his supporters sought to lay their case before the "bosses," they were refused admission, and were overawed by a detachment of Constabulary, whose protection the Nationalists are eager to seek in emergencies, however much the same "patriots" may denounce them from public platforms as "Dublin Castle spies" and with similar choice epithets. Not less summary has been the treatment meted out to Mr. William O'Brien and the All-for-Ireland League. Denunciation as a "factionist" and a landlord's man is ordinary ; with more wealth of epithet, he has been described as a "low, contemptible, venomous renegade" ; as a "contemptible, mean, malicious, low liar" ; as

<sup>1</sup> *Independent*, March 23, 1892.

"charged with venom and drunk with vanity"; and frequent reference is made to his "infamous treachery." Mr. O'Brien and his Party have shown instant readiness to retort with similar abuse.<sup>1</sup> Hard words, however, do little harm; but they have been accompanied by violent actions with the object of silencing political opponents. At the Nationalist Convention of February 1909, men with batons were placed at strategic positions in the hall to prevent any dissentients making themselves heard. At a meeting at Crossmolina, in Mayo, on August 28, 1910, Mr. W. O'Brien was subjected to an attack of so violent a character that his life was endangered,<sup>2</sup> and he alleges that it was not a spontaneous outbreak of hostility, but was a deliberate outrage organised by the paid officials of the United Irish League.

At Dundalk recently riotous scenes were witnessed in the town hall at a meeting called by Mr. T. Healy, M.P., who is obnoxious to the "bosses." The room was thronged by rowdies, who did their work so thoroughly, that the speakers were silenced and the meeting broken up in disorder and fighting. At Bantry Mr. O'Brien's followers were the aggressors, and after stone-throwing and baton-using the

<sup>1</sup> Mr. Devlin is described as a "filthy little rowdy"; references are made to Mr. Dillon's "abominable envy and jealousy"; he is styled the "boss emergency man"; and the Party are summed up as "as miserable a set of Dublin Castle hacks as ever infested the public life of Ireland."

<sup>2</sup> The following is the account in the *Freeman's Journal*—a newspaper unsympathetic to Mr. O'Brien, and certainly not therefore likely to exaggerate the incident: "The carriage, drawn at a rapid pace, proceeded to run the blockade; and then a scene occurred which no thoughtful Irishman with any pretensions to patriotism could regard with feelings other than those of regret. Mr. O'Brien was standing in the carriage, and a fierce fusilade of stones and bottles and eggs, thrown with great force, was directed towards him. He did not flinch, and though the missiles seemed to rain all round him, happily not one of them struck him." Mr. O'Brien's companion, it may be added, riding by his side in the same carriage, was struck by a stone and had his head split open,

Leaguers were put to flight.<sup>1</sup> In all these instances, had it not been for the presence of the police the results would certainly have been even more serious. If the Nationalist Party controlled the police, as they would do under Home Rule, is it not justifiable to ask whether the police would have been present to protect the opponents of the Nationalist Party? The cases mentioned are but few out of many; every student of Irish affairs will recall others to mind without difficulty. Do they not justify reluctance on the part of Irish Unionists to accede to Home Rule? When they recollect that in this manner Irish Nationalists treat those who were colleagues and friends, and whose differences are temporary, and of detail rather than principle, have not Irish Unionists ample grounds for anticipating that life-long political foes, under Nationalist government, are hardly likely to receive greater forbearance?

Another phase of Irish life has in no wise strengthened Unionist belief in Nationalist magnanimity. The grant of local government gave Nationalists an excellent opportunity of showing toleration towards political opponents. By inviting them to take a share in local administration they would have been able to indicate how completely their promises of toleration had been carried out; and as a practical forerunner of what would happen in the Dublin Parliament their action would certainly have weakened in the eyes of British electors one of the strongest Irish Unionist arguments against Home Rule. They conceded nothing, and by their refusal justified Unionist fears. Of the fact that Unionists have no representation, or very little, on county councils in Nationalist districts too much may be made. To the victors the spoils,

<sup>1</sup> The strenuous nature of the conflict may be gathered from the police evidence, which described the stone-throwing as "vicious, ferocious, and murderous."



and if Nationalists are determined to shut out Unionist representatives from participation in local affairs, they are entitled to take such action. It would, however, have been a gracious act, and moreover a politic act, to have pressed for a scheme of minority representation, or to have co-opted Unionists on the councils to allow the voice of the minority to be heard. Mr. Gerald Balfour, when introducing the Bill, hoped that the Irish gentry would, as in Great Britain, be identified with the administration of local affairs. Mr. Redmond then, as now, was profuse in his assurances of toleration for opponents. "We desire toleration," he said in Dublin, immediately after the passing of the Local Government Act, "in the public life of Ireland. We think that to adopt the policy of excluding from these public bodies every man who differed from us politically or religiously, would be an absolutely suicidal policy for Irish Nationalists to adopt. For my part—and I know that I speak in the name of the Parnellites of Dublin—for my part I would be willing to give them not only in Dublin, but all through Ireland, a fair, I will say even a generous share of representation upon these bodies."<sup>1</sup> These fine words, however, were without result. No opportunity was allowed to other than Irish Nationalists. The policy adopted was that laid down by Mr. Dillon, Mr. O'Brien, and Mr. Davitt, to allow no man to take part in local affairs unless he were a Nationalist. Mr. W. O'Brien destroyed every belief in Nationalist toleration. "We of this United Irish League," he said, "are for any amount of toleration and conciliation; but it is not toleration for the Home Rule killers, it is toleration for men who want to make Ireland a nation." Mr. Davitt's advice was "never to elect the supporters of foreign rule to administer local government." "Let it be

<sup>1</sup> *Irish Independent*, September 14, 1898.

known beforehand," said Mr. Dillon, "that no man need come and ask for your vote unless he has proved himself to be a friend of the people by joining the United Irish League."<sup>1</sup> The *Freeman's Journal* supported the policy of exclusion: "In every county or district council, where a landlord, however amiable or personally estimable, offers himself for election, the answer of the majority must be the same—'No admittance here.'"<sup>2</sup> The order given was so entirely obeyed that after the elections of 1902 Mr. Redmond, then the leader of a Party and not a faction—the promotion had hardened his heart—boasted that they had in the county and district councils "a weapon, the full force of which he believed was not yet thoroughly understood either by the English Government or themselves." They formed, he said, "a network of Nationalist organisations all over Ireland." Most significant was his further remark: "If the other organisations were struck"—it was at that time thought that the United Irish League might be suppressed by the Government—"I doubt not they would be willing to come forward and take their place, and, in their council chambers, carry on the National work."<sup>3</sup> It was an audacious plan to transfer the political and illegal activities of the Nationalist organisation to the statutorily-established local government bodies. Need for it did not arise; but it opens a prospect of work for a Home Rule Parliament which its creators at Westminster would not have anticipated. As it was then, so to-day the local councils are appanages of the United Irish League. Said Mr. Denis Johnson, a gentleman who fills the position of assistant secretary to the United Irish League: "The local elections were coming, and he

<sup>1</sup> See letter in the *Times* of February 28, 1907, from Mr. Gerald Arbuthnot.

<sup>2</sup> *Freeman's Journal*, May 19, 1902.

<sup>3</sup> Cork, July 18, 1902.

was glad to see that the candidates had been selected by the United Irish League, and he hoped that the candidates would be unanimously supported by all Nationalists, so that none but approved Nationalists should administer the local government of the country."<sup>1</sup>

Numerous League resolutions to this effect are on record. The following are examples: Killasnett Branch.—“That at the forthcoming elections for county and district councillors no man will be eligible as a candidate who is not a member of the United Irish League.”<sup>2</sup> Carnaska Branch.—“That no person be co-opted as a member of the Strokestown District Council who cannot claim membership of the United Irish League for at least a reasonable time previous to co-option date.”<sup>3</sup> Killargue Branch.—“At the approaching local government elections candidates selected by the United Irish League, and these only, are to receive the entire support of the voters, and non-voters too, in the several electoral divisions.”<sup>4</sup>

Pledges were required from candidates to “promote the interests of the United Irish League,” and to resign when called upon to do so by the League.<sup>5</sup> Indeed, the claim is made that the actual selection of county councillors is in the hands of the United Irish League, and that the choice no longer remains with the electors at all. Popular election is openly declared to be superseded by selection

<sup>1</sup> *Drogheda Independent*, May 23, 1908.

<sup>2</sup> *Sligo Champion*, April 4, 1908.

<sup>3</sup> *Roscommon Message*, May 23, 1908.

<sup>4</sup> *Sligo Champion*, May 9, 1908.

<sup>5</sup> The following pledge is taken from the *Kerry Weekly Reporter*, April 26, 1902: “I, —, hereby pledge myself, if elected, to represent the — Division on the County Council, to promote the interests of the United Irish League, and to resign my position whenever called upon to do so by the North Kerry Divisional Executive.”

by a political association.<sup>1</sup> Something of the same cool assumption that the councillors are to represent the League and not the electors is seen in the following report: "A conference of branches of the League in the county electoral division of Dromore West was held at Templeboy League Room on Sunday, for the purpose of re-electing a candidate within the confines of the above division to represent them on the County Council."<sup>2</sup>

The Leitrim County Council passed a resolution forbidding the election of any person as chairman or vice-chairman who had not been "an active member of the United Irish League for at least three months previous to his election."<sup>3</sup> This qualification is evidently in force in other districts. A Mr. Clarke, the Chairman of the Boyle Union, having been expelled from the United Irish League, the Guardians were publicly reminded in the Press that "as there is a standing resolution on the books of the Boyle Union that all chairmen must be members of the League, it is expected that Mr. Clarke will now be called on to resign his position as Chairman of the Board."<sup>4</sup>

Bearing these facts in mind, no surprise will be felt that the councillors do not confine their attention to local matters, but consider it necessary to pronounce an opinion upon all political questions affecting Ireland, and to pass resolutions upon such subjects as Home Rule, the Land Bill, and the Budget. Claiming to control the selection of members, the League naturally expects also to direct

<sup>1</sup> "If selected by the North Sligo Executive of the United Irish League as County Councillor, I hereby pledge myself to advocate the principles of the United Irish League in my private and official position, and to resign my seat if called upon to do so by the Executive of the United Irish League."—*Sligo Champion*, April 25, 1908.

<sup>2</sup> *Sligo Champion*, November 14, 1908.

<sup>3</sup> *Evening Mail* (Dublin), May 23, 1902.

<sup>4</sup> *Roscommon Herald*, August 29, 1908.



matters of administration. For the most part, however, its members being councillors, there is little difficulty, and the existence of its authority does not obtain publicity in the Press. Occasionally the councillors have to be openly reminded of the existence of their masters, and incidents show how completely the local administration is under the heel of the League. Resolutions are sometimes made public calling upon councillors to support League candidates for positions, and discussions are reported respecting a candidate's claim for appointment on the ground of his membership of the League. Increase of salary, the councillors are told, may not be given without the sanction of the League. Two instances have been made public which seem to show that the practice of local councils abrogating their duties in favour of the League is not unknown. For example, at a meeting of the North Leitrim Executive of the United Irish League, held at Manorhamilton on March 20, 1910, Mr. F. E. Meehan, M.P., is reported to have said: "They were all aware that this was an adjourned meeting of the Executive in order to consider the advisability of giving an increase to the salaries of the doctors of the Union. It seemed the District Council had referred the matter to the Executive, and as a result this meeting had been called to hear the final decision in the matter."<sup>1</sup> Another illustration comes from South Leitrim, where, at a meeting of the Executive of the United Irish League, the same gentleman drew attention to the fact that the Manorhamilton District Council had referred to the Executive, for their consideration, the question of the enforcement of the Dairies and Cowsheds Order in the district.<sup>2</sup>

A particularly bad case of illegitimate inter-

<sup>1</sup> *Sligo Champion*, March 26, 1910.

<sup>2</sup> *Ibid.*, April 16, 1910.

ference by the League was afforded by the action of the Mullingar District Council at a meeting in March 1908. A letter was read from the secretary of the Rathowen branch of the United Irish League calling attention to the fact that three men who were employed by a Mr. Bond, who was boycotted and denounced by the League, were occupying labourers' cottages owned by the Council. A resolution was passed authorising the service of eviction notices on these three men. The notices were signed and the men ejected, their only offence being that they continued to work for a man who had been proscribed by the League. A similar exercise of authority occurred at Tobercurry, in County Mayo, in November 1908, when the District Council refused to approve of the rent-collector's action in letting a labourer's cottage to a "Royal Engineer engaged in making a survey of the district." He was ordered to clear out within a week, under threat of ejectment if he did not obey.

Significant, too, was the action of the Nationalist majority in respect of the General Council of Irish County Councils. That body was established, just as similar bodies in Great Britain, to discuss matters of local government administration, to exchange and compare views, to co-ordinate policy and agree upon concerted action where it seemed desirable. Such conferences in Great Britain have proved successful and valuable; no question of party politics is raised, and the delegates do not debate or pass resolutions affirming adherence to Free Trade or advocating Tariff Reform, because they desire to restrict the business to the purposes for which they are called together. The formation of a similar consultative body in Ireland afforded an excellent opportunity for men of both parties to come together and exchange views respecting local government affairs; but the Irish Nationalist majority would not have it so for long. Only some

four years elapsed before the Council plunged into politics, notwithstanding the declaration of their chairman, Sir T. Esmonde, M.P., at the time of its establishment ; and as a consequence of this breach of faith the Ulster delegates withdrew. Since October 1904, when this incident occurred, delegates from the Nationalist Councils have sat in conference, but as an ordinary Nationalist body, passing Home Rule and similar political resolutions.

The instances given in this chapter have not been produced with any pleasure. They are facts which no observer could ignore. They show that intolerance of opponents still exists to an extent which justifies Unionists in believing that liberty and freedom of speech and action would not be secure under Home Rule. Certainly the prevalence is deeply to be regretted ; but it is there, and so long as it exists it is an obstacle to granting Home Rule which cannot be avoided. While, indeed, it is impossible to agree with those good-hearted people who already regard the blending of the "Orange" and "Green" as an accomplished fact, there is certainly more co-operation between political opponents on non-political subjects than would have been possible in the past. The story is told in subsequent chapters ;<sup>1</sup> but whatever is said, the conclusion can but be that the mutual working of Home Rulers and Unionists has been brought about in spite of the official Nationalist Party. Whilst it is the dominant factor in Irish public life, maintaining its old policy of agitation and hate, no Irish Unionist can slacken his vigilant guard over his liberty or allow his misgivings to vanish.

Whether a new Nationalist Party may arise, honestly desirous of co-operating with persons of every class and creed in all that may be for Ireland's

<sup>1</sup> Chapters XI. and XII.

advantage, is for the future. There are no greater lovers of Ireland, no more earnest patriots, none with greater pride in their country, than Irish Unionists. True, the domination of the present Irish Nationalist Party has forced them into opposition, and has given their opponents opportunities, of which they have eagerly availed themselves, of denying that such feeling for their country animates Irish Unionists. But no one looking into the past history of Ireland, when Ulster fought for Irish freedom, or conversing to-day with the loyal minority, can doubt the genuineness of their desire to see Ireland prosperous and contented. No statement is more libellous than that which attributes to Irish Unionists want of pride of race, callousness to Irish poverty, and indifference to Ireland's future. Far from that being so, their stern opposition to Home Rule is based on fear that it militates against Ireland's real prosperity. He will, indeed, be a reckless British Minister who acts in direct contradiction to a minority, not weak numerically, strong in attachment to the British flag, and representative of all that energy, initiative, and courage that has made for progress and wealth in Ireland.



## CHAPTER VII

### WHO ARE FOR HOME RULE

THE official Nationalist organisation in Ireland is the United Irish League. It succeeded the National League,<sup>1</sup> just as that body succeeded the Land League. Through the years the titles have been changed, but the principles have not altered.<sup>2</sup> Evidence proves the continuity of the Irish Nationalist movement; and even the "Plan of Campaign" and the "new departure" of Davitt were advocated as far back as 1848 by James Fintan Lalor in the *Irish Felon*.<sup>3</sup> Principles apart, the history of the Irish Nationalist Party is one of violent changes. Years of internal strife between former colleagues, reconciliation and periods of more or less united action follow one another with a regularity that gives opponents opportunities for amusement, and must cause friends painful reflections. All political parties are more or less subject to internal feuds, but among Irish Home Rulers they are maintained with a ferocity and thoroughness and personal

<sup>1</sup> Co-existent with the National League during the later years was the National Federation—the organisation of the Anti-Parnellites.

<sup>2</sup> In the same way the official Irish Nationalist organisations in Great Britain and the United States underwent a change of name.

<sup>3</sup> See a very interesting pamphlet by Prof. Brougham Leech: 1848 and 1887: *The Continuity of the Irish Revolutionary Movement*, London, 1887.

vindictiveness towards individuals that find no counterpart in the dissensions of other Parties. This disposition to be attacking each other may be attributed to the common belief of the Irishman's love for a row, which the absence of political opponents compels him to exercise on colleagues and friends. The belligerent spirit must find an outlet, and no other presents itself.

It is not the purpose of this chapter to record the history of the Home Rule Party; but to deal with it as it exists to-day. The Parnellite split drove Irish Nationalists into bitterly hostile camps, and their squabbles dragged a sorry course for years. Mr. John Redmond in the Parnellite Party, Mr. Justin McCarthy and afterwards Mr. Dillon in the Anti-Parnellite Party, led the opposing forces; but the authority of the latter was subjected to flank attacks by Mr. T. M. Healy, who commanded a strong section of Anti-Parnellites.<sup>1</sup> So matters continued until 1900, when more peaceful counsels prevailed, and the Home Rulers united under Mr. John Redmond, with the United Irish League as the official Irish organisation.<sup>2</sup>

With these preliminary observations a survey can now be taken of Nationalist organisations as they exist to-day in Ireland. At the head is the Irish Parliamentary Party—a body composed of those members of Parliament who follow the “official” chairman of the Irish Nationalist Party—now Mr. Redmond. They are accustomed to meet

<sup>1</sup> Mr. Dillon's organisation was known as the National Federation; Mr. Redmond's as the National League; and Mr. T. M. Healy's as the People's Rights Association.

<sup>2</sup> The League, though established in 1898, was not formally recognised until June 1900 at a Nationalist Convention held in Dublin. Mr. Healy and his followers remained outside the “united” Party. It is an illustration of the vicissitudes of politics that Mr. W. O'Brien, the founder of the United Irish League, is the person against whom the whole power of the League is now directed,

in Dublin and at Westminster as occasion demands. A chairman is elected every session; and the members of the Party are bound to act in the House of Commons in accordance with the decision arrived at by the majority of the Party. They are, in fact, "pledge-bound," and so long as they regard their pledge they are entitled to their salaries from the Irish Parliamentary Fund.

The United Irish League is the official organisation in Ireland for political purposes. Its central offices are in Dublin; and it has the usual staff of secretary, assistant secretary, clerks, and travelling agents who are known as "organisers." The President of the League is Mr. John Redmond, M.P., and the Secretary Mr. Joseph Devlin, M.P. The Executive is known as the Standing Committee—a small body of which Mr. Dillon, M.P., is a prominent member. This Committee meets fortnightly, and directs the work of the League. A larger body which elects the Standing Committee is the National Directory—a council, meeting usually half-yearly, composed of Nationalist Members of Parliament and delegates from the local executives, which in turn consist of representatives from the branches of the League in a division.

So far as the League as a whole ever meets as an organised body, it is through the National Directory. A conference of delegates—such as forms part of British political organisations—does not exist. The so-called "National" Convention, which is called together from time to time to register the opinions of the Irish Nationalists upon some important question, is not simply a gathering of members of the United Irish League, but is composed of representatives of many Nationalist organisations, besides containing persons who may attend as of right. In this latter class are "prelates and clergymen of all denominations"; all members of the Irish Parliamentary Party; all members of

the National Directory of the United Irish League; the chairman, treasurer, and secretary of each divisional executive of the League. The other organisations to which representation is accorded are the United Irish League of Great Britain, the Ancient Order of Hibernians, Irish Nationalist Foresters, Land and Labour Association. Local government bodies can also send delegates: a county council, six; a county borough, eight; any other town electing a mayor, six; a rural district council, six; an urban district council, two; town commissioners, other than an urban council, two; a board of guardians, not being identical with a rural district council, two; a trade and labour council, three. The constitution is interesting, since it does not necessarily mean a Nationalist convention, but, apparently, would permit of Unionists being present as delegates from local bodies. In practice, however, none other than Nationalist bodies dream of sending representatives, and it is an indication of the extent to which the Irish Nationalists control the local government of the country that they can include delegates from the administrative bodies in their Conventions without any expressed restriction on their political views.

For the constituencies the branch is the unit of the League; and the branches are linked together by an executive for each constituency, composed of representatives from the branches. The branch acts through its committee; its meetings are sometimes held in the evenings, and in a League Room or some other convenient place; often they are held on Sundays outside the chapel gates after the last Mass. At that time the League subscriptions are collected, and it will be easily understood that the circumstances, with the publicity of the occasion, are against a man declining to subscribe. Meetings are held at the same place,



often with the parish priest in the chair. An affiliation fee has to be paid annually to the central office of the League to secure recognition. Apart from the ordinary political propaganda work and collecting for the Parliamentary Fund, the local branches concern themselves with a multitude of affairs. They aspire to be the ruling power in the district. Disputes over land come before them for decision; with an appeal to the Executive of the district. They call upon local landowners to sell; they order graziers not to take grazing land under pain of their displeasure; they aspire to dictate to the Land Commission or Congested Districts Board who are and who are not to have holdings upon farms which are being divided; evicted tenants appeal to them to recognise their claims; they direct when, and against whom, the boycott is to be imposed; they warn people not to associate with "obnoxious" persons, and shopkeepers not to serve them; they direct people not to deal with certain tradesmen; they warn employers not to give work to certain men, and order dismissals; they instruct the local councillors what they may and what they are forbidden to do; and actually reprimand Justices of the Peace who may give decisions contrary to the law of the League. Generally speaking, there is not a local affair, private or public, in which they do not claim to have a voice. Their decisions obtain publicity in the local Press, and through this means all the districts know whether a man is branded as a social outlaw. The branch publishes a list of those who are subscribers, and sometimes a "black-list" of those who have refused. The branch often has a "band," whose music, while it serves to arouse enthusiasm at public meetings by discoursing Nationalist airs, is not less useful as a means of demonstrating against an "obnoxious" man by marching and playing in front of his dwelling.

No one who has had any experience of rural life could deny that an association of individuals in a village exercising such powers are capable of considerable tyranny and oppression; and as successor of the Land League the United Irish League possesses the additional authority for its decrees which is recalled by the memory of the methods the earlier body employed to enforce its will. In other chapters illustrations are given of "How the League works," and the result bears out the impression that its powers of intimidation and suppression of freedom are fully recognised. Indeed, combination to force the minority man to do what he is unwilling to do forms so usual a part of Irish rural life in some districts, that it would exist, League or no League. It is done under the auspices of the local branch of the League, probably because that body offers good opportunities for combined action; but its place is often taken by some other combination. Secret societies, for instance, are known to exist throughout Clare and Galway. It will, too, be readily appreciated that a few active spirits, banded together as a branch of the League, can influence opinion and direct local affairs to an extent out of all proportion to their actual position.

It is necessary, however, to consider the League, not in its aspect of village bully, but as evidence of the existence of a general demand for Home Rule. Study of speeches delivered at League meetings, of reports of branch and executive meetings, can only compel the conclusion to be adopted that the question of Home Rule occupies only a conventional position in the resolutions and orations, but that really live interest and excitement only arise when a "grabber" is to be denounced, a landowner ordered to sell, the Congested Districts Board or the Estates Commissioners to be attacked for declining to allot holdings on an estate in the manner the League desires; or

when some violent personal dispute between two Nationalists arouses the deeper feelings of the audience. It is not disputed that leading Nationalists like Mr. Redmond or Mr. Dillon can command large audiences—though not always by such spontaneity as is sometimes suggested. Naturally they do so, but the usual League meeting is a very dull, commonplace, and unenthusiastic affair, unless some local touch, as just mentioned, can be introduced. Indeed, it would probably not be too much to say that the League is strongest where grievances in respect of land and other questions remain unredressed; and a negligible factor where agrarian demands have received attention and the only attraction is the constitutional question of Home Rule.

The fact is that the League is suffering from the settlement of the land question and the other movements which are drawing Ireland's attention from political towards industrial and commercial matters. Just as Davitt and his colleagues only popularised Home Rule by linking it with the land question, so with the link almost broken by reason of the operation of the Land Acts, the enthusiasm for the Irish Nationalist Party, which shows itself in supporting their organisation, weakens. To their recognition of the danger to the Nationalist movement can be traced the Irish Parliamentary Party's opposition to the Land Act of 1903, and their hearty support of the Birrell Act of 1909 for stopping Land Purchase. Nothing indeed shows the indifference of the country to the Nationalist Party more than the failing financial support which their Parliamentary Fund has been receiving during the past few years. Indeed, so small was the response that at the General Election in January 1910 Mr. T. P. O'Connor was sent off post haste to the United States, and succeeded in obtaining £10,000, from which the costs of the

election were paid, and without which the Party would have been bankrupt.<sup>1</sup>

In 1910 urgent appeals were made throughout Ireland for better financial support. "Doubled subscriptions" were asked for, and the response, though it showed an improvement, was not sufficient to avoid an appeal to Irish-Americans in the autumn of the year. There, at the Convention at Buffalo, Mr. Redmond admitted that he could not obtain from Irish sources more money than would meet the ordinary routine expenses of organisation. For money for election purposes he looked to the Irish Americans.<sup>2</sup> It is a curious comment upon the alleged demand for Home Rule by the people of Ireland that they refuse adequately to respond to the request for financial assistance. Such reluctance cannot be attributed to increasing poverty, since, by every test that can be applied, evidence shows that the Irish people are becoming more prosperous and more contented. Nationalists indeed publicly admit that it is the want of dissatisfaction which so adversely affects their subscription list. Tenants who have purchased, they regretfully recognise, have settled down to make the best of their improved lot, and show no enthusiasm for agitation.<sup>3</sup> They are condemned for their ingratitude, but the fact remains, and in itself is a possible source of danger to Ireland, since the Party may by some desperate move seek to reinstate themselves in the public minds. The

<sup>1</sup> "The Irish National Party would have been bankrupt in this Election were it not for the success of his [Mr. T. P. O'Connor's] mission. . . . We have been able for the first time in ten years to conduct this election without making any general public appeal for any election fund in Ireland."—Mr. J. Redmond, M.P., Dublin, February 10, 1910.

<sup>2</sup> *Irish World*, October 8, 1910.

<sup>3</sup> At a meeting of the East Galway Executive of the United Irish League: "Alluding to the Parliamentary Fund, Rev. Father Callanan said that some years ago it was very easy to get money for the Fund, for the people were looking for the land, but now that they



failure to subscribe is all the more remarkable when the methods by which the League extorts support are recollected, and the condition shows the existence of an unknown quantity in Irish life, which, whatever it may be, is certainly not Home Rule. Between it and the active politicians there are doubtless many who, nominally Home Rulers, are not keenly interested in politics, or whose enthusiasm has evaporated as the outcome of recent events. It is just the presence of this factor which causes perturbation to the official Nationalist and produces in Irish affairs the present uncertainty.

There is indeed no intention of denying that a large number of active and organised Nationalists are pushing forward the question of Home Rule; but they do not constitute the nation, and the clamour of their demand is only more apparent because it is organised. Of the various Nationalist bodies which are so engaged first place should be given to the Ancient Order of Hibernians. Beside it the League is an effete and inefficient affair; and if any one cared to prophesy the coming Nationalist organisation he would certainly be safer in indicating the Hibernians than any other. Where the League ends and the Hibernians begin is a matter which could only be solved by Mr. J. Devlin, M.P., who doubles the offices of Secretary of the United Irish League and President of the Ancient Order of Hibernians.

This link, and the fact that many members of Parliament and leaders of the United Irish League are also members of the Hibernian Order, emphasises

had got it they showed no higher order of patriotism."—*Roscommon Messenger*, June 11, 1910.

"Mr. O'Malley, in conclusion, referred to the mission of his colleagues to the United States, and said there should be no necessity for that mission if the Irish tenant farmers, who had derived such benefits from Land Acts and other measures obtained by the efforts of the Parliamentary Party, would only do their duty and show—to put it mildly—a little gratitude."—Mr. W. O'Malley, M.P., at Ballyconnolly, *Freeman's Journal*, September 20, 1910.

the connection with the official organisation, and, it is alleged by some, gives the Order considerable influence in the settlement of Nationalist policy. Be that as it may, the existence of the Order must be taken very fully into account when the Home Rule demand is being examined. The Order is "thorough" in all that it does. It admits no compromise in respect of its opinions; its object is the freedom of Ireland, and her complete independence. Although working hand in hand with the Parliamentary movement, it does not pretend to accept in full satisfaction of its demand anything in the shape of a subordinate Parliament. In its references to Great Britain, to the King, or to the Empire, it is thoroughly disloyal, declaring indeed that it "owes no allegiance except to Ireland and to the Irish people,"<sup>1</sup> and it has for England no loyalty or respect. In recent years the Order has become a registered Friendly Society, but its official organ points out that it "merely runs a system of benefits as an auxiliary to its general objects, and not as the essential principle for which it is called into existence."<sup>2</sup> Membership of the Order is strictly confined to Roman Catholics: no Protestant can be accepted. Indeed, in all its appeals the Order claims support from Roman Catholics as an organisation for the protection and defence of their Church. Historically it claims descent from a seventeenth-century organisation formed, according to the Hibernian historians, to guard the priests, who were forbidden the country, when celebrating Mass on the hill-sides. Fortunately it does not fall within the plan

<sup>1</sup> Mr. J. Devlin, M.P., at Hibernian Bazaar, Dublin, July 15, 1910.

<sup>2</sup> *Hibernian Journal*, June 1910. Dr. Timmins is reported in the same issue as saying at a meeting of the A.O.H. at Boston, U.S.A.: "If sick benefits were the only aim of the A.O.H., its existence would be hardly necessary, as the country is full of benefit organisations . . . but we want more than a weekly sick allowance—we want a free Ireland." The Hibernians of Australia, however, are a benefit society first,

of this volume to trace the movement through the years when it was known as the "Whiteboys," and later as the "Ribbomen": the most judicial mind would probably fail to disentangle fact from fiction, and to apportion praise and blame.<sup>1</sup> More particularly, however, the organisation, whatever its name, showed activity in Ulster, where vigorous opponents were met in the Orangemen. The present name was first actually adopted in the United States, but the old title "Defenders" lingered on in some parts of Ireland until 1904.<sup>2</sup> Differences of opinion upon matters of internal policy have from time to time split the Order into conflicting factions. Indeed, a body in Dublin still exists—or did until recently—which claims to be the real "Ancient Order of Hibernians," scouting the claim of Mr. Devlin's organisation, which is known as the "Ancient Order of Hibernians, Board of Erin." For all practical purposes, however, so far as opponents of Home Rule are concerned, the Board of Erin alone demands attention. The other is of small proportions, whilst the Board of Erin claims to comprise 670 affiliated divisions, in Scotland and Ireland, with a membership of not less than 65,000.<sup>3</sup>

The existing organisation of the Order dates from 1905, when its constitution was recast and older methods of conducting business were replaced by a more modern system with a president, secretary, and the usual officers. What probably gave the Order the greatest impetus, however, was the removal in 1905 of the ban of the Irish

<sup>1</sup> *The History of the Ancient Order of Hibernians*, by J. J. Bergin, is the official story of the movement. *The Unknown Power behind the Irish Nationalist Party: its Present Work and Criminal History* (Swan Sonnenschein, 1907), is an account written by an opponent. A comparison between the two books affords ample confirmation of the violent difference of opinion which exists upon this most controversial subject.

<sup>2</sup> Bergin, pp. 34, 35.

<sup>3</sup> At the close of 1909. (Bergin, p. 87.)

Roman Catholic hierarchy. Before that time it was regarded by the Church as a secret society; but at the Maynooth conference it was decided that it was a Catholic body undeserving of proscription, and its existence was tolerated.<sup>1</sup> Since then the priests have to a considerable extent associated themselves with the Order, as chaplains or as members.<sup>2</sup>

Although the Hibernians are working for the independence of Ireland, they are at the same time in close co-operation with the Parliamentary movement and the United Irish League. With one man occupying a leading official position in

<sup>1</sup> The ban in Scotland was not removed until the beginning of 1910, and then only after an appeal direct to Rome. The decision of the Irish Bishops does not prevent severe clerical criticism. Cardinal Logue at Carrickmore is reported by the *Irish Independent* (May 14, 1909) to have said: "The Ancient Order of Hibernians, whatever they might be in other places, had in this parish and in some other parishes become a pest, a cruel tyranny, and an organised system of blackguardism. It had been stated that in his Lenten Pastoral he had said hard things of the A.O.H. Then he was not quite certain of the correctness of his information, but now he was certain that in the A.O.H. halls drinking and dancing till the small hours of the morning were carried on. Not alone this—but in Carrickmore and in some other parishes the members of the A.O.H., not content with being Hibernians themselves, endeavoured to compel others to join the order by means of boycotting, threatening, interfering with persons buying and selling and with tradesmen carrying on their trade, and still more by waylaying and beating persons who did not join their society. This state of things he could not tolerate, but would be obliged to take sterner measures, and if the remedy which he was now about to apply did not bring these practices to an end, he would in the discharge of his duties as Bishop excommunicate the Hibernians throughout his diocese. . . . In future he would strictly forbid all priests to give absolution to any one who, by boycotting, by threatening, by waylaying, or by any other means, should try to compel any person to join the Society." A nice clerical opinion of a Society claiming as its object the protection of the Roman Catholic faith!

<sup>2</sup> "A clergyman of the Roman Catholic Church can at any time enter a lodge, and the pledge (of secrecy) is not valid against the confessional."—*National Organisations in Ireland*, p. 37; published by the *Outlook*.



both organisations, this mutual assistance is not difficult to arrange. The Hibernians are not to adopt or support any candidate for a representative position in opposition to the candidates duly selected by the United Irish League; every Hibernian is expected also to become a member of the League; and the Order is represented not only at National Conventions but also at conventions called together in the constituencies for the selection of a Nationalist candidate for Parliament.<sup>1</sup> It must be a matter for speculation whether it is possible for two organisations of this character to run side by side. Mr. William O'Brien at any rate entertains no doubt upon this point. Through his dual capacity, he says, Mr. Devlin "was soon enabled to spread its network of lodges all over Ulster and over the greater part of Connaught, as well as to meet the branches of the United Irish League on at least equal terms at the conventions for the selection of Parliamentary candidates, and eventually acquired an actual majority of the Standing Committee who controlled the organisation and funds of the United Irish League." And again: "as the United Irish League declined, the Board of Erin took its place, or wherever the League survived reduced it to its own humble servant."<sup>2</sup>

The position of the Ancient Order of Hibernians has been treated of at some length and not without reason. Of Irish political movements it is difficult to prophesy; but, with the United Irish League declining it seems not improbable that the Nationalist organisation with the greatest power in the land is

<sup>1</sup> This provision has given rise to considerable dissatisfaction in places where it is alleged that bogus branches of the Order have been created immediately before a convention in order to give the Hibernians a controlling voice. At the last General Election the Standing Committee, on the plea of want of time, suspended the conventions and left it to Mr. Redmond to select official candidates.

<sup>2</sup> *An Olive Branch in Ireland*, p. 420.



likely in the future to be the Ancient Order of Hibernians. It possesses an active and clever politician at its head, well versed in the by-ways of Irish politics, a programme understandable and straightforward, without equivocations and reservations, and a story of past actions that may be trusted to appeal to the Irish Nationalist feeling. Its development is responsible for the determined opposition of Irish Protestants to a Home Rule Bill dictated by the leaders of the Ancient Order of Hibernians, the aims and objects and bitter sectarian animosity of which they believe would make guarantees worthless. Its triumph would mean danger to Great Britain and the Empire, without doubt: it would be a check to Ireland's progress and prosperity, and plunge the country into civil strife. Whether the good sense and a feeling of responsibility which the working of the Land Purchase Act has created amongst the farmers will be sufficiently strong to offer a successful resistance to the revolutionary movement, the future alone can show. Mr. William O'Brien's All-for-Ireland League is based on the idea of a moderate party, recognising the changed conditions of the country, advocating land purchase, and Home Rule not forced on the minority, but by agreement with it. At present it is no more than in its early stages of existence. Its promoters were not particularly victorious in their engagement with the Redmondite party at the last election; but its battle was of a somewhat local character. The O'Brienites have as yet made no general attack upon the Redmondites. Want of time to organise and dearth of suitable candidates were the principal obstacles. After a general pitched battle the public will be in a better position to judge whether a moderate or extreme policy is to prevail. Even granting Mr. O'Brien victory, his fight would be only half won. The United Irish League, occupying an indefinite position, being neither revolutionary like the Hibern-

ians, nor evolutionary like the All-for-Irelanders, might be expected to disappear. The still fiercer conflict would then ensue between the extremists and the moderate O'Brienites. What advantages either side would possess is at present pure speculation; but it would not perhaps be far wrong to give Mr. O'Brien's following the advantage of clerical approval.

On the side of the official Irish Nationalists valuable and redoubtable allies will range themselves. They will have the assistance of the more militant Irish Nationalist organisations—by no means to be despised; and they will have the still more welcome financial aid of the Irish Nationalists in the United States.

The minor Irish Nationalist organisations are many; some are to an extent recognised by the official Nationalist leaders by representation being accorded them at Nationalist conventions. Others, though opposed to the official Nationalist Party, are only so upon policy and not upon principle. It only requires a definite step forward on the part of the official leaders, the fighting declaration that the prospect of conflict encourages, to bring them up as auxiliaries. It should not be forgotten that Mr. Redmond, although pursuing a "constitutional" agitation, has never closed the door against their co-operation with him. "If there are men," said Mr. Redmond in Dublin in September 1908, "who are more extreme than we are, my prayer for them is success to all their ideals and all their hopes."<sup>1</sup> And again at Derry he said: "I never blame the young man for giving expression of feelings perhaps more extreme than my own."<sup>2</sup> The phraseology will not escape notice, so carefully constructed is it in its avoidance of an inference

<sup>1</sup> *Freeman's Journal*, September 2, 1908.

<sup>2</sup> *Ibid.*, December 31, 1909.

that opinions more extreme than Mr. Redmond's are possible : rather the suggestion is that they are impossible.

What then are the organisations for the assistance of which Mr. Redmond, or whoever may lead the official Nationalists, is not likely to look in vain ? Perhaps the foremost among them is the Gaelic Athletic Association. Nominally it is a movement to promote Irish athletic games and sports.<sup>1</sup> No Irish policeman or British soldier can be a member or take part in its tournaments. In its published rules it is stated that "Police, Soldiers, Militiamen, Sailors of the Royal Navy, and pensioners of the Constabulary, Army or Navy be not allowed to compete at Athletic Meetings under the auspices of the Association, and that no permit be granted to a Sports Promoting Body that will allow a military or police band at said meeting." The tone of the Association is also shown by the inscriptions on its banners which were borne in procession during the "language week" in Dublin last year : "The Gaelic Athletic Association wants no soldiers or shoneens" ; "Irishmen be Irish ; play your own games." "A Nation's bulwark—its language and games" ; "Do not ape the foreigner."<sup>2</sup> Irish football and hurling are the principal games it encourages. For the latter a formidable curved stick, known as a "camán," is required ; and its use is not always confined to its recreative purpose ;<sup>3</sup> while the field of an "ob-

<sup>1</sup> It was started in 1884 by Mr. Michael Cusack, and received the support of Archbishop Croke.

<sup>2</sup> *Freeman's Journal*, September 19, 1910.

<sup>3</sup> The *Cork Examiner*, reporting a Nationalist procession at Kenmare on November 6, 1910, says : "One of the finest features of the display was afforded by the members of the local Hurling Club, who with camáns on shoulder marched in front, presenting a very trim, sturdy and well-disciplined appearance." This identification with martial appearance is quite usual, and indicates the general idea of the Gaelic Athletic Association forming the Nationalist Army of Ireland.



noxious" person is often the chosen ground for a match,<sup>1</sup> to which the teams march in military formation. There is indeed but little doubt that its members would form a valuable army of organised Nationalists in the event of conflict.

The Gaelic League is a body to whose objects on paper no exception can be taken. Its concern is with the extension of the Irish language and with the study of Irish literature. Both excellent objects in their way; but pushed to extremes, as the language movement is, in an endeavour to make it a living tongue, it becomes economically unsound and to common-sense minds ridiculous.<sup>2</sup> The strength and widespread nature of the movement may be gauged from its successful agitation to make Gaelic an essential subject at Matriculation for the new National University. The League gained the day in the face of the opposition of Roman Catholic Bishops and Irish Nationalist leaders, having as its weapon the threats of the county councils to refuse financial assistance to the University in the event of compulsory Gaelic being barred.

Between the Gaelic League and the Irish Parliamentary Party there is little if any co-operation. Whilst the latter enjoys the benefits of clerical approval, the former is suspect, the assistance given to it from other organisations proceeding from anti-clerical sources. About its "nationality," however, there can be no doubt. Racial hatred runs throughout the speeches of its leaders; and the doctrines of nationality which it teaches are only consistent with

<sup>1</sup> See *National Organisations in Ireland*, published by the *Outlook*, pp. 32-5.

<sup>2</sup> For instance, to compel banks to accept cheques with Gaelic signatures; to have the necessary inscription upon vehicles in the Gaelic language; and to address letters and parcels in Gaelic. The Leaguers have a grievance against the Post Office in respect of the last. The official instruction requires all Gaelic addresses to be sent to Dublin to be translated, and delivery is therefore delayed.

Separation. Dr. Douglas Hyde, its President, and two other prominent members of the League showed their disloyalty at a National Teachers' Congress at Sligo by ostentatiously walking out of the room when the health of the King was proposed.<sup>1</sup> Others remained, but kept their seats. The Secretary of the League, referring to the incident later, "took credit to the Gaelic League for creating this spirit, and for strengthening the backbone of the teachers."<sup>2</sup> As further evidence of the disloyal spirit of the League, the utterances of Mr. Seamus Macmanus can be given. He was at one time a school teacher, and afterwards a prominent member of the Gaelic League. In a letter in the *Irish Independent* he insisted upon the duty of the Irish teacher to fill the minds of his scholars with disloyal feelings. "The Irish youth," he wrote, "who quits school without realising his duties as a rebel is, or should be, a discredit to his schoolmaster." He added self-complacently: "At the end of half a dozen years' schoolmastering on his own part, he felt his conscience easy in the knowledge that his salary was well and easily earned, so far, at least, as the stirring of discontent and the dissemination of rebellious opinions were concerned."<sup>3</sup> And Mr. John Sweetman, also a leading Gaelic Leaguer, acknowledged "that out of the Gaelic League's de-anglicising propaganda have already grown a series of movements, not only strongly political, but each and all making for a separate Irish nation, freed from every link of the British connection."<sup>4</sup> To these extracts may be added one from a speech by Dr. Douglas Hyde, himself at San Francisco in 1906, which clearly demonstrates the Separatist movement of the League. "We aim high," he said,

<sup>1</sup> See *Freeman's Journal*, April 28, 1905.

<sup>2</sup> Dublin, June 17, 1905.

<sup>3</sup> *Irish Independent*, May 15, 1905.

<sup>4</sup> *Freeman's Journal*, January 31, 1906.

"for we aim at nothing else than establishing a new nation upon the map of Europe."<sup>1</sup> The admission proves the case of those who cannot be persuaded to regard it as merely a language movement, having no other purpose than the encouragement of the Irish tongue and Irish literature. Indeed, if proof of the disloyal nature of the teachings of the League is required it is only necessary to recall the approval it has received from the extremist societies of the United States, which scorn the milk-and-water character of the "constitutional" agitation. The Gaelic League has received financial assistance from both the Clan-na-Gael and the Ancient Order of Hibernians in the United States.<sup>2</sup> The Clan-na-Gael, in its printed circular of March 4, 1906, asserted the identity of the field of labour. "The work of the Gaelic League," it said, "is in line with the objects of the Clan-na-Gael. It is preparing the mind of the country for that supreme effort which will lead to the final triumph of the Gael. Although a non-political organisation, and acting strictly within the existing law, it is steadily creating the conditions that will make a free Ireland possible. The work of the Gaelic League is our work."

In addition to these somewhat compromising friendships, the Gaelic League also enjoys the approval of "Sinn Fein." That organisation, the title of which is translated "ourselves alone," preaches the policy followed by Hungary in its contest with Austria during the period 1849-67, which in its practical application to Ireland had been anticipated by Dean Swift in his advice to burn everything English except her coal. There is in the "Sinn Fein" programme a refreshing thoroughness which engages attention. Its aim is "the re-establishment of the Independence of

<sup>1</sup> *Gaelic American*, March 31, 1906.

<sup>2</sup> The Ancient Order of Hibernians of America voted \$1,000 at the Portland Convention, 1910.

Ireland," and it has a full programme of reforms to be carried out pending the realisation of that object. Briefly, it declines to recognise any authority on the part of the British Parliament to legislate for Ireland. It would withdraw the Irish Nationalist representation from Westminster, and would make the General Council of Irish County Councils the National Assembly, investing that body with a moral authority which it would expect every Irishman to recognise. The activities of the new assembly would cover the encouragement of Irish trade and industry by Protection and by combined action of Irish local bodies, by the establishment of an Irish Consular service, an Irish Mercantile Marine, and Irish National Bank, and National Stock Exchange; by the development of mineral resources. A National Civil Service would be created. The established Law Courts would be avoided by the setting up of National Courts of Arbitration. A National System of Insurance would be started. The control and management of sea-fisheries, means of transit, and waste lands would be undertaken by a National authority. Education is to be reformed, and the Poor-house system abolished. The consumption of articles paying excise duty to the British Exchequer is to be avoided as far as possible; and all voluntary support to the British armed forces would be withdrawn. In fact, a real Irish Ireland is the ideal. The organisation was founded in 1905, and for a time its propaganda caught on even among Parliamentarians. Some of them nibbled. Only one took a bite and resigned. He failed to secure re-election. Later the word went round the Parliamentary ranks, and a campaign against "Sinn Fein" was started for some reason—perhaps because of its anti-clerical nature. At that time to be called a "Sinn Feiner" was in the Parliamentary circles as much evidence of depravity as it is nowadays



to be classed as an O'Brienite. Indeed, with a fresh object of abuse in Mr. O'Brien the Parliamentarians ceased to pay attention to "Sinn Fein," and of that body to-day less is heard. However, it still continues. Its organ, *Sinn Fein*, commencing as a weekly, was for a short time in 1909 published daily. It failed to command sufficient circulation, and reverted to its former weekly publication. Its policy is, "a plague on both your parties"; but not being merely abusive, and its writers possessing a saving sense of humour, it affords delightful reading to an opponent.<sup>1</sup> "Sinn Fein" has, however, an ugly side. Visionary though its paper programme is, yet, in practical disloyalty, its activities have taken the shape of an anti-enlistment campaign, with the publication of scurrilous and seditious leaflets and posters. In this work it has had the co-operation of minor extremist organisations. The Dungannon Club<sup>2</sup> in Belfast is one, and the "Daughters of Erin" another, while the "Cumaan-na-Gadhael" is an extremist body among extremists; and there still exists the Irish Republican Brotherhood, the members of which find scope for their activity in furthering the policy

<sup>1</sup> Its weekly cartoon is by no means the least amusing portion of its contents. The recent performances of Mr. Redmond and Mr. T. P. O'Connor in America gave the artist excellent subjects for his pen: Mr. Redmond as a marionette, his movements controlled by Government strings, decked in a composite suit of Scottish kilts, Irish waistcoat, and "Union Jack" coat, with a flag in one hand and a leek in the other; and T. P. defying an angry "world" with a tearful British lion tucked under his arm like a frightened puppy.

<sup>2</sup> Under its auspices a monthly magazine, the *Republic*, was published for some time. It was later incorporated with the *Peasant*, which became in time the *Irish Nation*. The *Peasant* appeared when Cardinal Logue succeeded in suppressing the *Irish Peasant*, edited first by "Pat," and afterwards by Mr. W. Ryan. It supports "Sinn Fein" and the Gaelic League, and advocates an Irish-Ireland policy. After a career as a weekly paper it is now a monthly. The story of its suppression is told in *The New Ireland*, by Sydney Brooks, pp. 76-80.

of "Sinn Fein" and the Gaelic Athletic Association.

The Young Ireland Society may perhaps be properly mentioned here. Its hold is principally in the towns of the south, and it aims at being more a movement of "intellectuals." Debates and discussions are held, and its tone is no exception to the rule which surrounds the spirit of youth with "advanced" ideas. Its object is declared to be "to hasten the day when the flag for which patriots suffered and martyrs died may float triumphantly over an Ireland free for ever from English rule and domination."<sup>1</sup> Of other bodies which go to make up the network of organisations to which the Nationalist Party may reasonably look for active assistance in the time of conflict there are the Irish Land and Labour Association and the Town Tenants League. The former was founded originally to put forward the claims of the labourers, a body whose discontent the Land Acts did nothing to allay. Indeed, their existence troubled the Parliamentarians, and the Association was started as a strictly non-political body to afford an outlet for the active spirits among the labourers. Recently the Labourers Acts have given them cottages and plots of land;<sup>2</sup> but the non-political character of the organisation has vanished. Save in County Cork, where the O'Brienite influence has prevailed, the Association has become strictly an auxiliary of the United Irish League.

The main object of the Town Tenants League is also unconnected with Home Rule. Briefly, it proposes to effect for the urban tenants what has already been done for the agricultural landholders. It professes to be non-political, but its chairman has declared that it must rely upon the

<sup>1</sup> Annual Report of Young Ireland Society in Cork, published in *Cork Examiner*, January 26, 1904.

<sup>2</sup> See Chapter XI., p. 224.

co-operation of the Irish Parliamentary Party,<sup>1</sup> and its secretary recently withdrew his candidature for a vacant Nationalist seat upon Mr. Redmond's suggestion, and frequently appears upon official Nationalist platforms. The Irish farmer having become an owner, and being disinclined to show his gratitude by continuing to support the Irish Nationalists, the leaders of that party are showing an interest in the Town Tenants movement as offering an almost virgin field for agitation; and those who are forwarding the movement have not hesitated to boast that the future will see a reproduction in the towns of the old land war. The organisation gained considerable kudos at the outset by the passing in 1906 of the Town Tenants Act, a measure which the Liberal Government gave facilities for placing on the statute book.<sup>2</sup> The Act gave town tenants a right to compensation for improvements as well as compensation for "unreasonable disturbance." With its appetite whetted, the League now demands security of tenure, revision of rack-rents, and State aid for town tenants to purchase—a programme which offers a close parallel to the Land Acts, and would make the Imperial credit responsible for a loan of many millions to finance advances. The possibilities for agitation will be readily recognised in this alluring situation; and if it were necessary to indicate the source of future discontent and danger, it would hardly be incorrect to suggest the town tenants. It only requires the Irish

<sup>1</sup> At a meeting of the Executive, reported in the *Freeman's Journal*, August 26, 1910.

<sup>2</sup> It is said as a result of a promise given by Sir Antony MacDonnell, then Under-Secretary, who took the unusual step of making a personal visit to Loughrea, where a Mr. Martin Ward, a prominent member of the local branch of the United Irish League, was resisting the right of the landlord to recover possession, and only surrendered under the personal supervision of the Chief of the Irish Executive, and upon such excellent terms.

Parliamentary Party to recognise their grievances—it would be a rash act to deny that they will not do so—and another flame of agitation will be lit which will require very drastic steps to put out.

Another subsidiary organisation of the Irish Home Rulers is the Irish National Foresters. It is in practice a benefit society, and more so than the Ancient Order of Hibernians; but of its Home Rule character there is no doubt, the society being accorded representation—three delegates from each branch—at the Nationalist Conventions. Its banner is a frequent sight in Home Rule processions, and members, clad in the picturesque Emmet costume, often act as a bodyguard to Nationalist leaders.

Even these organisations do not exhaust the Nationalist alliances. In Great Britain there is also a United Irish League, which, under the order of Mr. T. P. O'Connor, M.P., plays its part in British elections where the Irish Nationalist vote claims to be of consequence. Also it gives the Parliamentary Fund financial assistance. Branches of the Ancient Order of Hibernians exist, especially in Glasgow and the surrounding counties. Outside Ireland, however, the Nationalists look particularly to the United States for assistance, and in a secondary way to Canada and Australia.<sup>1</sup> The principal organisations in the States are the United Irish League, the Ancient Order of Hibernians,<sup>2</sup> and the Clan-na-Gael. Only the first named openly supports the Irish Parliamentary Party. The Hibernians individually probably subscribe to its funds, although officially

<sup>1</sup> The Hibernian Australasian Catholic Benefit Society is said to be in no way connected with the Board of Erin. Cardinal Moran is the hon. chaplain, and it would seem to be purely a religious and benefit society of Roman Catholics.

<sup>2</sup> The American branch of the Ancient Order of Hibernians has an unenviable past. Usually under the title of "Molly Maguires," they were responsible for horrible atrocities and murders in the coal country of Pennsylvania between the years 1863 and 1877.



they are, if not hostile, at any rate indifferent. The Clan-na-Gael is an open enemy, having no faith in constitutional agitation; and its endeavours are directed to preventing any understanding between the Parliamentary Party and the Hibernians.

The purpose of the United Irish League of America has been recently described by its President: "Our organisation exists mainly as an agency for providing funds, as a medium through which subscriptions may flow; we are simply auxiliaries of the League in Ireland."<sup>1</sup> It is from the operations of the League that a large portion of Mr. Redmond's 200,000 dollars come. It claims, indeed, since 1901 to have sent to the Irish Nationalist Fund, besides this latest contribution, a sum of £40,000. Spread over the period the amount bears no comparison to the grants in aid of the movement during the Land League days. But the dollars have the advantage of being less tainted with the doctrines of dynamite and physical force, an absence of incalculable benefit to Mr. Redmond, who has to overcome the natural objection of British electors to the use of foreign money for his campaign.

The fact is appreciated that these subscribers are not evidence of Ireland's inability to support the Nationalist Party, but of want of enthusiasm for the Home Rule politicians. It only increases the feeling of outraged decency that foreign-fed patriots are at Westminster exercising their influence on Imperial affairs. So long as the Irish Nationalists are restrained by no sense of shame from accepting the money it is difficult to see how this foreign influence can be removed. Well-meaning persons suggest the granting of Home Rule as a solution of the problem, entirely ignoring the fact that the Americans who pay for representation at Westminster do so from motives of which the desire of assisting Ireland to obtain Home

<sup>1</sup> President Ryan at the Buffalo Convention. (*Irish World*, October 1, 1910.)

Rule is only one. Moreover, the American contributors' idea of Home Rule as wholly satisfying the Irish demand is not a subordinate Parliament, but independence. Enthusiasm which extracts dollars from Irish-American pockets is not engendered by declarations for a petty Parliament and of loyalty to the Empire. For their money they require something full-blooded, and the Irish Nationalist leaders visiting them take pains to see that they get it.<sup>1</sup> So long as Irish Nationalists are a powerful Party, with great influence in British politics, so long can they look across the Atlantic for the financial assistance without which their agitation would sink to insignificant proportions. It is not too much to say that the contributions are made not more with the intention of assisting Ireland than with the desire of injuring the British Empire. English supporters of Home Rule would have it believed that the dollars are subscribed for the better government of Ireland; but no one who has any acquaintance with the speeches and literature of Irish Americans can fail to be struck with their bitter anti-British spirit. One well-known paper is the *Chicago Citizen*, which throughout betrays a virulent hatred of anything British.<sup>2</sup> Such opinions,

<sup>1</sup> See Chapter IV., pp. 59-65.

<sup>2</sup> "As Pagan as Rome, as cruel in her exactions, the Empire of Great Britain has passed its zenith, and will sink far more rapidly than it rose."—*Chicago Citizen*, April 11, 1908.

"There is not an Irishman in America to-day, in whose veins good red blood is flowing, who would not rejoice to hear that a German army was marching in triumph across England from Yarmouth to Milford Haven."—*Ibid.*, July 11, 1908.

"The newly awakened Ireland must be courteous to the alien, but there must be no tolerance for the native Irishman whose allegiance is not primarily to Ireland, and whose decrees are not in accord with the aspirations of his country."—*Ibid.*, October 24, 1908.

"We Irish in America would be glad to hear that England had suffered defeat and disaster at the hands of Germany. Why should we, or how could we, feel otherwise? The Germans have never wronged us; we owe them nothing but goodwill."—*Ibid.*, January 7, 1911.

whatever attitude the Irish Parliamentary Party may adopt towards them, must be recognised as being views which are prevalent among Irish Americans.<sup>1</sup> The same spirit, moreover, is particularly developed in an organ which is the recognised mouthpiece of the Irish Nationalist Party in America. It is the *Irish World*, and is edited by Patrick Ford. He is one of the most active collectors of dollars for the Irish Home Rulers, who have repeatedly acknowledged his assistance.<sup>2</sup> A resolution recording their appreciation of his immense services to the cause was passed at a meeting of the National Directory on September 15, 1910; a similar resolution was passed a fortnight later at the Convention at Buffalo; and before leaving the United States Mr. John Redmond addressed a message of thanks to the "*Irish World* and Patrick Ford for the magnificent work which so largely contributed to the success of his mission."

Patrick Ford's past utterances are not denied; and the Parnell Commission description of him as "a known advocate of crime and the use of dynamite" has become hackneyed. There are on record his scheme for a wholesale conflagration in London on a windy night; his expressions of approval of the Phoenix Park murders, and his testimonial fund for the "martyrs'" families; and many other favourable opinions of the policy of "physical force." His attitude towards the British Empire, and his opinion of Mr. Gladstone, can be gained from his pamphlet,

<sup>1</sup> In this connection it may be useful to bear in mind Mr. Redmond's remark in a speech at Dublin on September 1, 1908: "If there are men who are more extreme than we are, my prayer for them is success to all their ideals and all their hopes."—*Freeman's Journal*, September 2, 1908.

<sup>2</sup> He claims to have been instrumental in collecting 516,000 dollars between 1876 and 1884 for various Irish Home Rule funds; and during Mr. Redmond's recent tour he promised 20,000 dollars on behalf of readers of the *Irish World*,

*The Criminal History of the British Empire.* Irish Nationalists who desire to justify their participation in Patrick Ford's subsidies assert with perfect truth that these opinions are twenty years old or even older, and that he has now become a supporter of "constitutional" agitation. These excuses do not meet the point that Patrick Ford does not consider that the support he gives to "constitutional" agitation in any way debars him from expressing approval of the policy of "dynamite." Indeed he does not hesitate, when appealing for financial support for the United Irish League, to assert that the "physical force" policy is not contrary to the views held by those at the head of the United Irish League. He writes in the *Irish World* of November 1899, over his signature in an article which was an appeal for funds for the United Irish League, then in its infancy: "If any set of Irishmen see their way to successfully attack England by physical force, why, let them go ahead, and God bless them. If there is any dynamite or lyddite that will blow the British Empire up into the clouds or down into the bottomless pit, why, let it be used and forthwith. We believe in all that sort of thing, and we feel sure that the men at the head of the United Irish League are not contrary-minded." Again, in the *Irish World* of June 8, 1907, an article appeared by Dr. Thomas Addis Emmet in defence of the use of dynamite in Ireland; to it Patrick Ford appended the following note: "I am in entire agreement with the views expressed and the conclusions reached by Dr. Emmet; but, like Dr. Emmet himself, I am also in sympathy with the United Irish League and the Irish Parliamentary Party, so admirably led by Mr. John Redmond." Even more significant is the following quotation from the *Irish World* of September 21, 1907: "There are Irishmen who believe that only by physical force, only by cannons



and guns and spears, can the freedom of Ireland be won. Let them hold to their belief, let them do all they can to carry their policy into effect. No good Irishman has or ought to have a word to say against them. On the contrary all good Irishmen, every Irishman 'worth his salt,' every Irishman with true Irish blood in his veins, would be delighted to see England and her infamous rule in Ireland faced and beaten in the field and crushed and destroyed for ever by Irish cannons and guns and spears, or by the armed might of Irishmen acting in co-operation with any other or all other military powers or forces on the face of the earth. This is Irish sentiment, Irish instinct, and therefore no good Irishman has a word to say against the 'physical force' principle. None of the leaders of the Parliamentary movement has a word to say against it, or ever does say a word against it or against the men or organisation that believe in it as the only right policy." Time, then, has not mellowed Patrick Ford's opinion of "physical force." Moreover he attributes similar views to the leaders of the Irish Nationalist Party over here. He is not a "constitutionalist" in good faith; and he would have his readers think that those for whom the collections are made are similarly-minded—a belief which is probably not without its effect on the Anti-British Irish-Americans. No one indeed can read the *Irish World* without being struck with its bitter anti-British spirit. The Egyptian Nationalist movement has its sympathy; the murderer of Sir Curzon Wyllie was a "Hindu patriot," whose death was "an inspiration for Indian Nationalists." "Perfidious Albion" is the title England has earned "by persistently pursuing a policy of duplicity whenever it served her purpose to do so." References are made to "her robber instincts," her "insatiable greed," and her "robber flag." She is described as "the pirate nation of the world." Canada is urged to declare her independence or join the United

States, advice which it is easy to see would be given to Ireland if she ever obtained a Home Rule Parliament. All these references are taken from recent issues of the *Irish World*. They show Patrick Ford's present attitude towards the British Empire; and, such being his opinions, what are likely to be the actions of those Irish Nationalists who share the dollars collected through his efforts? It is not necessary to prove that conditions are attached to his grants; but what pensioner gives expression to opinions contrary to those held by his benefactor? If he did, his source of income would cease. Nationalist protestations of desire to act for the well-being of the British Empire ring false so long as Pat Ford's dollars fill the coffers of the Irish Home Rule Party.

The close connection that exists in Ireland between the United Irish League and the Ancient Order of Hibernians is not reproduced in the United States. There these two bodies ignore each other's existence. Indeed, when the Irish Americans were supposed to be full of enthusiasm over Mr. Redmond's visit, the *National Hibernian*, the official organ of the Order, entirely ignored his presence on American soil. The quarrel of the American Hibernians is with Mr. Devlin's Board of Erin Hibernians in Ireland. The position in the two countries is somewhat curious. In Ireland the Board of Erin have things practically all their own way, but in the United States their branches are insignificant in numbers and influence. The American Hibernians too possess not the toleration of the Roman Catholic Church, but her hearty approval; and the organisation itself would seem to be giving more attention to church matters than does the Board of Erin. In respect too of Irish language and Irish history, it has promoted this study in schools and at universities. None the less is it thoroughly hostile to Great Britain; its demand being for the complete independence of

Ireland.<sup>1</sup> This much must however be remembered, that though the dispute between the two branches of the Hibernians has produced an entire failure of co-operation, the reasons are comparatively insignificant, and concern detail and methods and not ultimate aims. Attempts have been made to heal the differences—one recently, but so tactless that its sincerity was doubtful. The leader of that mission, however, has lost the confidence of the American Hibernians, failing to obtain re-election to the post of President. Until the policy of his successor is made public, it is too early for an outsider to judge whether the downfall of the former occupant of the position is to be attributed to an entire refusal of the American Hibernians to arrive at an agreement with the Board of Erin, or to dissatisfaction with the methods adopted by the mission. The differences are not such that they cannot be made up, and a crisis in Irish affairs might easily produce reconciliation. If that happened, and the Order became united, Great Britain would be faced with a far greater danger than now.

However, the bitterest opponent of reconciliation is the Clan-na-Gael. It will have nothing to do with "constitutional" agitation. Its organ—the *Gaelic American*—edited by John Devoy, is, every week, filled with the fiercest attacks upon the United Irish League, Mr. Redmond, and the Irish Parliamentary Party. To some extent this

<sup>1</sup> The following resolution was passed at the National Convention of the Order held at Portland, Oregon, in August 1910: "That we again assert our unswerving fidelity to that fundamental principle of our Order, viz., the complete independence of Ireland, toward the attainment of which the untiring efforts of all patriotic Irishmen should be directed; and while we favour as a means to that end the acceptance of any measure which would bring relief to our suffering brethren in Ireland, and congratulate all men who are giving their best effort toward the uplifting of the race at home in every field of Irish endeavour, we are convinced that nothing short of complete and absolute separation from England can ever bring lasting prosperity to Ireland."—*Cork Examiner*, August 25, 1910.

hostility is the outcome of a personal feud between Devoy and Pat Ford, both campaigners of Parnellite days. Such strong language, however, as can be spared from vituperation of the Irish Nationalist leader is devoted to the policy of slandering things British. Nothing less than a renewal of the extremist policy will content the Clan-na-Gael, pending which it extends its approval and support to Sinn Féin and the Gaelic League. It is, moreover, a bitter opponent of an Anglo-American alliance.

That subject plays a large part in Irish-American politics. The prospect of its realisation has even been urged here by Liberal Ministers as an argument for Home Rule. Irish-American opinion is hostile to any understanding so long as Ireland is without her own Parliament. The opposition would not be removed by the grant to Ireland of the Liberal plan of a subordinate Parliament. No such promise has been either implied or explicitly made. Indeed, the more "irreconcilable" Irish-Americans have banded themselves together with the German organisations, not only to prevent the alliance being an accomplished fact, but to use all their influence against the establishment of cordial relations between Great Britain and the United States. Great Britain is represented as earnestly desiring the alliance, which alone can preserve her, in her decadence, from conquest by Germany. The common ground of Irish and German Americans is thus easily understood. The hostility of the latter is naturally permanent; Irish-American opposition will not be removed until Great Britain has completely acceded to Ireland's "right" to be a "nation."

These are the formidable organisations fighting for Separation. Such is the ultimate aim of all, however much it may be considered good policy in some cases to conceal it beneath the cloak of "constitutional" agitation. Whoever maintains



that the grant to Ireland of a subordinate Parliament for purely Irish affairs is going to satisfy the aspirations of these bodies, end their activity, and remove their hostility, must be sadly blind to the facts which have been set out in this chapter.

## CHAPTER VIII

### LAW AND ORDER

It is impossible for any person to write or read of the subject of Irish agrarian lawlessness without feelings of deep regret. That a people, in many respects so lovable, and possessing excellent qualities, should indulge in actions of cruelty and brutality, can only be matter of sorrow to all who wish to see Ireland prosperous and contented. There can be no object in recounting in any detail the sorry record of crime that has stained the history of Ireland. Agrarian outrage is no recent innovation. Long ago the "Peep-o'-day Boys," the "Whiteboys," and other bands with more or less fanciful names wreaked their vengeance on unpopular landlords; and gave Governments many anxious hours, and Parliaments much material for discussion. But the lawlessness of those earlier times had this difference from the outrages of a later day—it was not the outcome of encouragement and suggestion on the part of those who aspired to be the national leaders of the people. So far as recent history is concerned, the student of Irish affairs can find without difficulty the exact moment when a new spirit came over Irish agrarian agitation. The "new departure," with which the name of Michael Davitt is associated, led to the establishment, in 1879, of the Land League, which was

recognised as the official Nationalist organisation. Whatever view may be held as to its objects, no one can dispute the fact that its methods of achieving them were in the highest degree reprehensible. Let any one consider for a moment the character of the speeches made by the Nationalist leaders, and the nature of the audiences to whom they were addressed.

Tenants who paid their rents were called cowards; their neighbours were advised to make outlaws of them. They were told that no more serious charge could be brought against a man than to be called "a land shark," or "a land grabber." Mr. Parnell himself—in the speech at Ennis,<sup>1</sup> which became the model for Land League orators—advised his audience "to isolate from the rest of his kind, as if he were a leper of old," the tenant who bid for an evicted farm. They were advised to get guns; to destroy Irish landlordism; and get rid of landlords in the Irish nation for ever.<sup>2</sup> Such was the advice, not of irresponsible agitators, but of Nationalist leaders, thoroughly conversant with the niceties of speech, and possessed with full comprehension of the meaning of words. What of their audiences? They were just plain, down-right people, many of them ill-educated, not given to reading or to study, possessing elemental passions, and an easy prey to a demagogue's arts. Given the knowledge of earlier struggles against landlordism, without regard for the law, and hating landlords as a class, not only as being representatives of the conquering nation, but as the possessors of the soil which their forefathers owned, what wonder that the Irish audiences took in all that was told them, and acted on the advice given by

<sup>1</sup> September 19, 1880.

<sup>2</sup> See extracts from Nationalist speeches, reprinted in *Report of Parnell Commission*.

their leaders.<sup>1</sup> Could they be expected to realise the consequences of their actions, or to weigh with an impartial mind the ethics or morality of the course upon which they were led to embark? In recent times the popularity of the anti-landlord cry, even in Great Britain, has been recognised. In Ireland in those days intense was the hatred, and easy was it for the agitators to work on the people's feelings. With what consequences the world well knows. The boycott became an engine of terrible intimidation, directed against all who offered any obstacle to the success of the League: "against agents of landlords, bailiffs, caretakers, emergency men, called in to prevent the land becoming waste, against those who supplied goods to such men, and generally against all who supplied food or even spoke to boycotted persons; against those who refused to join the League; against those who gave

<sup>1</sup> Much was said that was not accurate about "improvements." See Chapter IX., p. 173. The evil of "absenteeism" was dinned into their ears to an extent that almost justified a belief that Irish landowners residing in Ireland were as scarce as snakes in that country, whereas the fact, as shown by a table compiled from House of Commons Return, No. 167 of 1872, giving particulars of the various classes of landed proprietors in Ireland in 1869, before land purchase was in operation, is that, omitting land held by companies and institutions, and confining the figures to landowners with tenants under them (*i.e.* omitting occupying owners), the number of proprietors rarely or never resident in Ireland was 1,443 out of over 12,000 landowners of the class referred to. Without in any way discussing whether these "absentees" might not have been in every respect good and liberal landlords, the figure at least shows that "absenteeism" was very much exaggerated. Another view that was advanced to account for the success of the Land League's efforts was the indebtedness of the Irish farmers, and indeed of all classes in Ireland. The bad harvest of 1877 made the banks chary of giving advances; and, as time went on, they called in their advances in all doubtful cases. The situation was intensified by the bad harvest of 1879, and debtors, unable to obtain further advances or meet the calls, became desperate and turned to any solution which seemed to offer relief. See on this point the memorandum by G. de L. Willis, printed in the second volume of the *Cowper Commission*, pp. 976-82.



evidence in courts of justice adverse to those accused of agrarian crime; against those who supplied cars to the police; against the children of boycotted persons, and the schools they attended; and against a school because an assistant teacher was related to persons who had offended the League. The funerals of obnoxious persons were put under a similar ban, and even coffins, or the wood to make them, were withheld from the dead."<sup>1</sup>

Although the leaders stopped short of inciting to the commission of the crime other than intimidation, their audiences were unable to appreciate the necessity of similarly holding themselves in check. An uneducated, ill-restrained man, with his passions worked upon, and incited to commit intimidatory acts to gain certain ends, cannot be regarded as so much to blame if, as a consequence of such incitement, he proceeds to crime and outrage of a more serious character. What surprise can be felt that murder and horrid cruelties dogged the footsteps of the Land League and its successor—the National League.

It will be said that all this is gone and finished with. Unhappily it is not so. The weapons then forged have proved too successful to be entirely abandoned; and the lessons which Liberal Ministers ought to have learned from the steps taken by their predecessors to put down lawlessness have not been appreciated.

It may seem strange to the casual reader that a marked recrudescence of lawlessness characterises the periods of Liberal rule in Ireland; but the reason is not far to seek. Agrarian disorder arises from the belief—carefully encouraged by Nationalist agitators—that changes which the people desire in respect of the land will be brought about with greater certainty and rapidity if the ordinary

<sup>1</sup> Report of *Parnell Commission*, p. 53.

methods of political agitation are abandoned in favour of a more strenuous policy. The politicians, however, are perfectly aware that although Unionists are sympathetically inclined towards the agrarian reform, nevertheless they are determined at all costs to maintain respect for justice and to visit law-breakers with the consequences of their offences. The man who knows that if he breaks the law, every effort will be made to bring him to trial and to punish him, is distinctly discouraged from proceeding to extremes; and the fact that the executive government is determined to maintain respect for the law preserves confidence among the law-abiding and makes them less indisposed to bear witness against wrong-doers and exercise as citizens the duty of jurymen.

This general statement is entirely applicable to the record of the present Liberal Government. They came into office with Ireland peaceful; and so it continued for something like twelve months.<sup>1</sup> Then the politicians began to appreciate the advantages they gained from not having a Unionist administration at Dublin. The old system was revived, with the result that every form of agrarian disorder shows an increase over 1905.<sup>2</sup>

There is, however, this difference to be noted between the lawlessness of the "eighties" and the present. The Irish tenant in former days was fighting against one whom he, generally speaking, regarded as a traditional enemy. The landlord was represented to him as the one tyrant whom it was necessary to destroy if Ireland was ever to be a land of freedom and prosperity. With an hereditary

<sup>1</sup> Mr. Bryce, then Chief Secretary, said, on January 15, 1907, at Newcastle, "The present state of the country is very reassuring."

<sup>2</sup> Agrarian outrages, 1905, 275; 1910, 420. Firing at persons and into houses, 1905, 29; 1910, 86. Persons boycotted, November 30, 1905, 162; December 31, 1910, 567. Persons under police protection, January 31, 1906, 208; December 31, 1910, 316.

antagonism against landowners, the Irish tenants fell an easy prey to the agitator's words. The fight was between a limited number of big men and a much larger army of small men. There was, then, nothing astounding in the sympathy which the tenants received from sentimental politicians on this side of the Irish Sea. Always against landlords, and without any extensive knowledge of the Irish question, it was natural that the contest seemed to them to be one against tyranny and oppression, and that therefore there was some palliation for the murders and brutalities which marked the campaign.

To-day, however, that is changed. The landlords in many parts of Ireland are as extinct as the dodo; in others they are rapidly vanishing, or rather they were until Mr. Birrell's measure to stop land purchase became law. It is impossible for any sympathiser to regard the agrarian agitation of the present day in a heroic light. It still continues—and will continue so long as men believe they can gain their ends by intimidation and lawlessness instead of legal agitation; but it has now for the most part degenerated into a conflict between groups of Irishmen for plots of land.

The landowner, it is true, is being pressed to sell his "untenanted" land—the farms he lets out for grazing purposes—to the Estates Commissioners or the Congested Districts Board, that the land may be split up and divided among the people. The policy of dividing the grazing-land is in itself reasonable enough. It received the approval of Parliament in 1903,<sup>1</sup> and even more definitely in 1909, when the Estates Commissioners and the Congested Districts Board were given powers of compulsory acquisition. Whatever may be the effect on the cattle industry, and on this point opinions are conflicting, for good or evil the grazing-lands are marked out

<sup>1</sup> Land Act, 1903, sec. 8.

for division. But the unreasonableness of the demand is apparent when it is extended to home farms and even demesnes. The fact is that the men of a district, seeing land in the possession of one man of greater extent than that in their own hands, covet such holdings, and, having no respect for the law, turn to disorderly methods to attain their ends. Patience is not always practised in such cases; nor is a recognition of the claims of other men in other counties to participate in the division.

An observer of Irish affairs could, if so disposed, find much material for cynical comment in the attitude, for example, of the men of a district towards evicted tenants and migrants whom it is proposed to bring on the land from other counties or parishes. On Nationalist platforms the evicted tenant is a "wounded soldier of the land war"; in practice he is likely to be "wounded" in body by the hostility his countrymen show if he be imported into their neighbourhood. Parliament has decreed that the genuine evicted tenant shall be restored to his holding or otherwise provided with a farm,<sup>1</sup> whether he was a victim of landlord oppression, as Nationalists assert; an incapable ne'er-do-well whom no one would willingly have as a tenant; or one who fell a victim to the Plan of Campaign<sup>2</sup> agitator and who could, but was persuaded not to, pay his rent. Though Parliament may propose, the Irish people dispose; and, useful though the evicted tenant was as a stick to beat landlords with, he is often summarily disposed of when he claims

<sup>1</sup> The Evicted Tenants Act, 1907, gave the Estates Commissioners power to acquire land, compulsorily, to restore evicted tenants to the number of two thousand, that being the estimated number of genuine cases for which the provisions would be required. The Act expires in 1911.

<sup>2</sup> The best account of the "Plan of Campaign" estates is T. W. Russell's *Disturbed Ireland*, 1889—a reprint of letters to the *Times*.



the reward for his hard lot. The following extract from the Annual Report of the Estates Commissioners for 1908-9 is illuminative: "The experience of the Commissioners is that the holders of uneconomic holdings and the sons of tenants think they have a better claim to land in their own locality than evicted tenants from another locality, and they have little sympathy with evicted tenants from other properties, and still less with those of other counties."<sup>1</sup> Sympathy with evicted tenants is cheap; but their popularity wavers when their countrymen are asked to sacrifice something on their behalf. This ugly aspect of the land "war" is not confined to opposition to the evicted tenants: another class, the migrants, are equally opposed when the people of a locality desire the land for themselves. If the problem of congestion is to be solved, migration is the only remedy. The occupiers of uneconomic holdings must be moved away to places where untenanted land has been acquired for division. The extent to which migration can be carried out, providing the land is acquired—and it can be—depends on the willingness of the migrant to go and of his new neighbours to receive him. Apart, however, from the disinclination of the "congests" to leave their old home, another obstacle presents itself in the refusal of the sons of local tenants and other landless men to accord them a friendly reception.<sup>2</sup> Innumerable resolutions have been passed by branches of the United Irish League, and speeches made in their support, condemning proposals to bring in migrants and give them holdings which local men had already marked out for themselves; and cases, too, have occurred where officials concerned with the division of the land, and migrants themselves, have been met

<sup>1</sup> Cd. 4809 of 1909, p. 18.

<sup>2</sup> *Dudley Commission Report*, Cd. 4097, pars. 33, 42-3, 124-31.

with a display of physical force that necessitated a hasty retreat.

Mr. John Fitzgibbon, M.P., a member of the Congested Districts Board, Chairman of the Roscommon County Council, and the official witness for the United Irish League before the Dudley Commission, was emphatic on the point. In reply to a question whether there was hope that migration into Roscommon from other counties of Connaught would be successful, he answered definitely, "Not until Roscommon was first helped."<sup>1</sup> Indeed, "No Mayo men in Roscommon" became a war-cry which displaced "Ireland for the Irish" to an extent which causes doubt as to the deep-seated character of Ireland's "nationality."<sup>2</sup> Indeed, so certain is this opposition that an official witness serenely contemplated migration under police protection, declaring that if only the land was resold cheaply "you would soon find the migrants who would fight for their rights."<sup>3</sup> The prospect of settling the land question under such conditions moved Lord MacDonnell (then Sir Antony, and Under-Secretary) to the following comment: "I, who have to work the police, look forward with great pleasure to this Arcadia."<sup>4</sup> This opposition to the policy of solving Irish agrarian problems,

<sup>1</sup> *Evidence to Fifth Report*, Cd. 3630, Q. 25771.

<sup>2</sup> The following resolution, for example, was adopted by the Tusk branch of the United Irish League: "That we hereby protest against the action of the C.D. Board in bringing migrants from Mayo to Roscommon, as all the available land in the county is required for residents of the county, and that until every native is supplied we are determined to oppose the importation of any planters into Roscommon by every means in our power, and we will not stop even at physical resistance, should it be necessary in order to enforce our rights."—*Roscommon Messenger*, December 4, 1909.

<sup>3</sup> *Dudley Commission: Evidence to Third Report*, Cd. 3414, Q. 15973-9.

<sup>4</sup> "It would seem that the migrants are not the only obstacle to a peaceful settlement. The local landless men, the sons of tenants

and also to other remedial administration—the proposal to establish an agricultural college at Athenry, in County Galway, for instance, had to be abandoned through local hostility, which took the usual form of damaging property—shows not only uncontrollable lawlessness, but a disposition to selfishness and individual greed which throws an obstacle right across the path of those who are working to improve the condition of the country. Mention has already been made that demesnes and home farms are demanded for division amongst the people. The following case, which presents not a single redeeming feature, will show the extent to which men will go in their overmastering desire for land.

Mrs. Hall is an old lady, nearly eighty, who lives in Co. Clare. She had a small agricultural estate, which she sold to her tenants. She kept her demesne. The local branch of the United Irish League demanded that it should be divided among the local landless men. Mrs. Hall refused. She was boycotted. Her agent was forced to resign. Her herdsman had to leave, fearing he would be shot if he remained. A labourer went next; and then her gardener. Her hay was burnt; and the police lived in her house to protect

and the labourers are, it is to be gathered, jealous of one another, and would resent the claims of the others being preferred. At least, such is the interpretation to be placed upon the following extract from a speech by Mr. J. O'Shee, M.P., at Brown's Cross, Waterford, on September 18, 1910: "That was not the first nor the hundredth time he had preached the doctrine that when the claims of the *bonâ-fide* evicted tenants had been satisfied the labourers had the next best claim to the untenanted lands. The labourers never did and never would deny the right of the *bonâ-fide* evicted tenants to be restored to holdings equal to their own. But they did object to farmers coming and by backstairs and other unfair influence putting forward their sons for those untenanted lands to the exclusion of the labourers."—*Waterford Star*, September 24, 1910.

her.<sup>1</sup> What men could excuse or defend the action of her oppressors? Her land is sold, but that is not enough, and she must be turned out of her house before the League is satisfied.

The opposition to migrants and evicted tenants,

<sup>1</sup> *Parliamentary Debates*, February 23, 1909, col. 691; February 24, 1909, col. 768; March 25, 1910, col. 1901. The following letter appeared in the local paper, the *Clare Record*, and was republished in the *Dublin Daily Express*, September 20, 1909. Mrs. Hall tells her own story; and as a human document it is full of interest:

"CLOONEY, September 13, 1909.

"DEAR SIR,—

"After seeing the report of the East Clare meeting of the United Irish League in the *Record* of last Saturday, I feel constrained to write you a statement of the persecution I received from some Clooney people. I write as 'tis due to myself, and all my many kind friends who interested themselves for me, to show all the persecution I received, and which has led to the Clooney League being dissolved. First, I used to let my lands for grazing to respectable tenants. This was stopped, and the herdsman got notice he should not herd if the land was let. I had ten acres of meadow. I could not get any one to cut it for me, but the butler cut as much as did my horse. Later on the cattle were turned into the remainder, to try and eat it down. Our agent was summoned to the League. He went, and was given his choice of giving up my agency or of having all his actions boycotted. Of course he gave up the agency. Next the herdsman got notice to leave. He came to me on the next Monday after the League meeting and said he was going to give up the herding. I said, 'Would you not wait until the lambing?' He said, 'No, I would be shot if I remained an hour.' He went, of course. Then a labourer was ordered to leave, which he did. Then the gardener came to me and told me he should leave. He said he 'would try and stay if he could until the next meeting,' after which he came to me and said he would have to leave, and he left.

"Our new agent bought some hay at great expense. A few nights after I was awakened and told the hay was on fire. I watched it burning all the night and part of the next day, and the splendid barn a ruin. Since then my property and I are well protected, night and day, as I have six policemen and a sergeant in my house. May they long remain with me! I forgot to mention my boycotting was denounced by two priests at Clooney Chapel. The Clooney League was aware of this persecution. I should like to know if it had their approval. Perhaps some of them will answer this question at the next meeting on Saturday. I must apologise for the length of my letter, and hope for its insertion as soon as possible.

‘(Signed) ELLEN HALL.’



and the demand for the division of home farms and demesnes, has been an awkward question for Irish Nationalist leaders, who have shown a disposition to avoid the subject. In the case of Mrs. Hall, it is true, Mr. Dillon intervened and promised to rescue the old lady,<sup>1</sup> but without effect. The local branch of the League refused to recognise his authority or to obey their Central Office, and the persecution continued. The truth is that the branches are out of control; willing to be led when their leaders do as they wish, but determined in any case to run their own course. There is nothing to palliate or excuse the actions of the lawbreakers. Mostly the demand is entirely unreasonable, or it takes the form of opposition to official authority and officials devoted to the betterment of Ireland's conditions. It is no great national agitation, no burst of popular indignation; but sectional and local disturbances, in which each outbreak is a fight for some advantage to the men engaged, and for spoils which they are determined to share with no one. Cattle-driving, it may be alleged, is a national movement; but consideration shows that it is not so. It is not a fight between tenant and landlord, but between men who have no land or think they have not sufficient land, and men who have the use of land for the purposes of their business. The landlord is a third party, ultimately concerned, no doubt, but against whom the fight is not waged in the first place.

This examination of the present agrarian agitation is necessary to enable the attitude of the Liberal Government towards it to be fully understood. In face of the Dudley Commission's denunciation of the tenants' sons and the local landless men who were responsible for cattle-driving, and its declaration that their claims to the land were no greater than those of others, such as the migrants, it might have been expected that the Government would take

<sup>1</sup> *Parliamentary Debates*, February 24, 1909, col. 768.

strenuous steps to put down the agitation. Unfortunately they did nothing of the kind. Actually their spokesman minimised the gravity of the offence:<sup>1</sup> and other language was used of such a character that in the Courts the cattle-drivers used it in their defence.<sup>2</sup> Under such circumstances cattle-driving necessarily flourished. The only legal procedure the Government took to any extent when the ordinary benches refused to return cattle-drivers for trial, was to make use of an old Act of Edward III.,<sup>3</sup> by which the drivers were brought before a single magistrate and were bound to the peace, no power of imprisonment being possible within the statute, save where the accused refused to enter into recognisances. The few cases which were brought before juries, even where the venue was changed, resulted in failure, the juries declining to convict<sup>4</sup>—a result in no way remarkable in Ireland, where a weak administration cannot preserve respect for the law or give the juries confidence in its power to protect them from the consequences of returning a verdict against popular opinion.

<sup>1</sup> "A comparatively harmless process" (Mr. T. W. Russell, Manchester, October 14, 1907). "It cannot of itself be considered a crime of a very serious nature" (Lord Denman, House of Lords, June 4, 1907).

<sup>2</sup> At the hearing of a case at Athenry for cattle-driving, the defendants' solicitor said: "One could not help seeing that the person responsible for the government of the country, the Chief Secretary himself, said that the people in charge of the stock on the land where these things had gone on, ought to do something to protect their own property, and yet the Bench were asked to return the defendant for trial when the owner had not made an attempt to protect his stock" (*Irish Times*, June 22, 1907). Although the defendants did not deny driving the stock, the magistrates dismissed the case.

<sup>3</sup> 34 Edward III., cap. 1, 1360-1.

<sup>4</sup> To June 30, 1910, only 11 cases of cattle-driving had been brought before juries. In these cases 148 persons were concerned; and 17 of them were convicted as the result of trial by jury. (See Mr. Birrell's answer, House of Commons, July 21, 1910; *Parliamentary Debates*, vol. 19, col. 1419).

Men did not object to be bound to the peace—if they went to prison it was voluntarily, and they had to undergo none of the rigours of ordinary prison life—since it stamped them in the popular mind as patriots. It made them right with the powers of the League, and gave them an option on any land that might be divided in the neighbourhood. For the most part, however, the cattle-drivers escaped any consequences of their illegal acts. From figures given by Mr. Birrell, a reasonable estimate places the number of cattle-drivers at 12,800; only in respect of 2,128 persons were prosecutions taken, 1,595 were ordered to find bail, and 17 were convicted by juries. The other drivers, numbering at least 10,000, either escaped scot free or their cases were pending at the time the information was given.<sup>1</sup> Can any one, after studying this record, feel that disorder has been adequately punished? Although it is usual to minimise the drives, and speak of them as if they were little more than the result of too exuberant feelings, and were carried out with entire regard for the comfort of the cattle, such was not by any means always the case. No doubt sometimes the cattle were allowed to “wander” in the proper sense of the word—the gates were simply opened, and the cattle escaped; but on other occasions they were unmercifully beaten, and were only discovered after some days’ search, bleeding and footsore, having been driven through barbed wire, hedges and ditches. The long list of awards for malicious injuries to cattle through driving is proof of cruelty and brutality. Necessarily, too, the campaign against the graziers was not confined to driving their cattle. That form, at any rate, showed invention; but, for the rest, the usual accompaniments of a League agitation were put into operation—

<sup>1</sup> To June 30, 1910. (Mr. Birrell, House of Commons, July 21, 1910: *Parl. Deb.*, vol. 19, col. 1419.)

boycotting, intimidation, and other methods of terrorism were common, and all and sundry were warned against "obnoxious" persons through the ready medium of the local Nationalist press. To some extent it was a people's agitation rather than a leaders' campaign. Nationalist Members of Parliament—the rank and file—in individual cases lent their direct advocacy. But so far as the leaders of the Party were concerned they exercised great circumspection, and while not blaming the drivers they gave the movement no very ready or active assistance. Mr. Redmond, it is true, denied that it was a crime, or that injury was done to the cattle, but that was the extent of his patronage. For the most part he treated the outbreak with lofty indifference. Nor did his colleague, Mr. John Dillon, show more frankness. He had never objected to it, he declared; but, perhaps always with a regard for the consequences, he refrained from directly advocating it. Mr. John Fitzgibbon in an indiscreet moment declared that it had his leaders' "blessing,"<sup>1</sup> and that they had given him his instructions. What they were he declined to say, and this most interesting point still remains a mystery. Their attitude, indeed, is strongly reminiscent of leaders who lead from behind, and their careful avoidance of anything compromising has preserved their liberty if not the respect of their followers.

In dealing with this outbreak of lawlessness it is difficult to find justification for the Chief Secretary's extraordinary policy. The shifts to which he was put to maintain an outward semblance of administering justice were accounted for by the fact that he could not and would not make use of the Crimes Act. He could not, because he had publicly pledged himself in the House of Commons that it should be "to all intents and purposes dead and

<sup>1</sup> Elphin, April 5, 1908.



buried.”<sup>1</sup> A strong man would have admitted later that circumstances had altered the case, and that the Nationalist campaign of disorder had absolved him from his promise. Mr. Birrell would not make use of its provisions because of his intense horror lest the Nationalists—as they would do—should denounce his policy as “coercion”!<sup>2</sup> To avoid that he was compelled to have recourse to pitiful expedients. He resurrected the old statute of Edward III. in order to proceed against the cattle drivers. He dug up an old Act of William IV.<sup>3</sup> to enable him to increase the police force in the disturbed counties. For all his avoidance of the hated statute he has not escaped the charge of “coercion.” The epithet has been freely applied to him not only by the rank-and-file Nationalists,<sup>4</sup>

<sup>1</sup> Mr. Birrell, House of Commons, March 13, 1907. (*Parl. Deb.*, vol. 171, col. 155.)

<sup>2</sup> There was something pathetic in Mr. Birrell's dislike of this label. The extraordinary conditions of Irish agrarian agitation demand extraordinary measures. Even Grattan's Parliament recognised the necessity of “coercion,” and passed no less than fifty-four Coercion Acts. The Liberal claim to be able to govern Ireland by the “ordinary” law is distinctly audacious in view of the fact that since 1830 there have been thirty-eight measures passed by Liberal Governments to which the term “coercion” has been applied, and only eleven Conservative Acts, of which nine only continued Liberal Acts.

<sup>3</sup> 6 and 7 William IV. c. 13, 1836.

<sup>4</sup> Mr. Farrell, M.P., for example, at Legan on September 4, 1910: “Mr. Birrell had instituted a meaner form of coercion, and a more cowardly form of attack on the popular will and organisation than was ever conceived by ‘Buckshot’ Forster or Balfour.”—*Freeman's Journal*, September 6, 1910. Mr. Farrell is one of the few Nationalist M.P.'s who have been prosecuted and imprisoned under the Birrell régime. His position differs from that of Mr. Ginnell, M.P., inasmuch as he is a recognised member of the Irish Parliamentary Party. Mr. Ginnell has been long expelled from that select company. It is indicative of an understanding between the Liberal Government and the Irish Nationalists that their support of the Liberal Government never wavered, although Mr. Birrell was prosecuting and imprisoning a colleague. The counsel for the prosecution actually attended an official Nationalist banquet, at which Mr. Redmond spoke, on the evening of the day he had spent in the courts trying to get Mr. Farrell imprisoned!

but by Mr. Redmond himself. On a motion protesting against the use of the Act of Edward III. the Nationalist leader described the Chief Secretary as "pursuing a stupid and disastrous course." "He is priding himself," he said, "upon not putting coercion into force in Ireland, but the exercise of these powers is a piece of coercion."<sup>1</sup> The word certainly sounds objectionable to British ears. It conjures up a judicial system entirely foreign to British ideas. If an opinion might be ventured, it would be that opposition to the policy of the Crimes Act arises more from the application to it of the epithet "coercion" than from a knowledge of the actual provisions of the measure. The term "coercion" as used by Irish Nationalists is not a condemnation of the Act of 1887 in particular, but is generally applied to any steps that may be taken to restrain the illegal utterances and actions of their supporters. It has been applied to Mr. Birrell's policy, although he has expressed his abhorrence of the Coercion Act. Unpleasant though it may be to Liberals, they were "coercionists" before Mr. Balfour. Without going too far back into history the fact may be usefully recalled that the Liberal Government which went out of office in 1885 was accused of practising "a system of coercion more brutal than that of any previous administration" by no less a welcome visitor nowadays at Downing Street than Mr. T. P. O'Connor, M.P.<sup>2</sup>

The fact is recalled in no spirit of recrimination: but it may help Liberals to climb down from the pedestal upon which they have placed themselves as the result of Mr. Birrell's often-proclaimed refusal not to touch the Crimes Act.

<sup>1</sup> *Parl. Deb.*, March 2, 1909, vol. 1, col. 1382.

<sup>2</sup> The following is an extract from the manifesto of the Home Rule Party, issued in November 1885, and signed by Mr. T. P. O'Connor, M.P.: "The Liberal Party denounced coercion; and it practised a system of coercion more brutal than that of any

It goes without saying that any legal restrictions are annoying to law-breakers; and attacks upon such statutes are to be expected, whether they are specially introduced to cope with extraordinary circumstances, as in this case, or are part of the usual procedure of the country. The most frequent objection to the Crimes Act of 1887 is its permanent character. Earlier Crimes Acts were of a temporary nature; and their re-enactment when occasion arose gave the Irish Nationalists opportunities of debate, obstruction, and disorder at Westminster, of which they availed themselves to the full. By such deeds was their popularity advanced amongst their constituents. Men who live by agitation are naturally angered when the chances of a demonstration are taken away. Although the Act is permanently on the statute book, its provisions are inoperative until specially invoked by the Government. A simple executive act, however, placed the provisions of the measure in motion and the Irish Nationalist M.P. found himself deprived of the pleasures of securing publicity at Westminster. Too much attention need not then be paid to this grievance, which is personal to Irish Nationalist representatives. A serious complaint would be the failure of the Crimes Act to reduce lawlessness and bring about a return to more orderly conditions. No such charge can be brought against it. The Act came into operation in July 1887, and so continued until July 1892. In August 1885, the Prevention of Crimes Act, passed by the Liberal Party in 1882, expired. In 1884, when that Act was in operation, the number of previous administration, Liberal or Tory. Under this system juries were packed with a shamelessness unprecedented even in Liberal Administrations, and innocent men were hung, or sent to the living death of penal servitude. . . . The last declaration of Mr. Gladstone was that he intended to renew the worst clauses of the Act of 1882, and if our long-delayed triumph had not turned the Liberal Government from office Lord Spencer would at this hour be in Dublin Castle, and coercion would be triumphant in Ireland."

agrarian outrages was 762. In the next year, when the Act expired, the number rose to 944; in 1886, there was a further rise to 1,056. The Unionist Act was in force during the latter half of 1887: the number of agrarian outrages fell to 883. All through the succeeding years to 1892 the number continued to decline—in 1888, 660; in 1889, 534; in 1890; 519, in 1891, 472; in 1892, 405. The effect of this measure, although it was no longer in force, was sufficient to keep agrarian crimes at a low figure for many years. Nor was its effect less on boycotting: on June 30, 1887, no fewer than 4,901 persons were wholly or partially boycotted; on December 31, 1889, there were 152 persons in that condition; on December 31, 1891, there was not a single person so circumstanced. No one can possibly maintain that the Crimes Act was not efficacious in materially restoring normal conditions to Ireland. In face of these figures it is all the more surprising to hear members of the present Government excusing their refusal to meet recent increased disorder by the Crimes Act on the ground that it would be of no effect.

Fully to demonstrate the hollowness of the cry of "coercion" as applied to the Criminal Law and Procedure (Ireland) Act 1887,<sup>1</sup> it is necessary to examine its provisions and to compare them with the powers given to the executive by the Liberal Crimes Act of 1882 and with the existing ordinary procedure in Scotland. The preliminary action necessary before many sections of the Act can be brought into operation is the proclamation of the district by the Lord-Lieutenant for the prevention, detection, or punishment of crime and outrage. In such districts the Attorney-General can by written order direct a resident magistrate of legal qualifications and experience to hold an inquiry into an offence and examine on oath a person he believes

<sup>1</sup> 50 and 51 Vict. c. 20.



to be capable of giving material evidence, although no person may be charged before him with the commission of the crime. A person confessing to the offence cannot be called upon to give evidence; nor his wife. The hours of such inquiry are laid down; a shorthand writer is to take down the questions and answers; and in the case of an accused person being returned for trial, he or his solicitor is entitled to a copy of the depositions made by any witness to be called against the prisoner: and the resident magistrate who took part in the inquiry is debarred from participating in the trial of any person accused of the offence. So far as the principle of preliminary investigation is concerned, there is nothing new. It was contained in the Liberal Act of 1882; and forms part of the ordinary legal procedure of Scotland, the Procurator-Fiscal having this power. Its application to Ireland was made necessary by the intimidation exercised by the League to prevent witnesses coming forward; and, where they did give evidence, by the outrages to which they were subjected for daring to flout the League. Under the provisions of the Act no person other than the magistrate and other official person (*i.e.* the shorthand writer) can be present at the inquiry without the consent of the witness under examination: and it rests with the magistrate to bind the witness or not to appear at the public trial. When witnesses are molested, steps must be taken to protect them. Only by restoring confidence can evidence against criminals be obtained. The provision was very necessary at the time the Act was passed, since witnesses were often subjected to outrage for daring to give evidence. As for the present it would be difficult to show that the condition of certain districts does not require such precautions. Proof of the unwillingness of witnesses to come forward is shown in the figures for certain classes of agrarian crimes during 1909 which went un-

punished. Out of 334 agrarian crimes, offenders were not brought to justice in 319 cases. The inability of the authorities to arrest offenders points to something rotten in the condition of the country ; and has attracted judicial comment. Lord Justice Cherry at the Clare Summer Assizes, 1910, deplored the fact that there had been a great deal of undetected crime in Co. Clare—a larger proportion, he thought, than in any other county in Ireland. There was a difficulty in bringing parties who had committed crime to justice ; and this arose, he said, “in a great measure from the prevalence of a system of intimidation.”<sup>1</sup>

Such conditions are likely to continue until steps are taken to protect witnesses and obtain their evidence without putting them to peril and danger. Confidence can be restored and men be brought to justice by making use of the preliminary investigation authorised by the Act of 1887, sanctioned by the Liberal Act of 1882, and forming part of the legal procedure of Scotland. It is difficult to find in this provision conditions of a nature to justify the Minister responsible

<sup>1</sup> *Cork Constitution*, July 2, 1910. Piquancy is given to the words of the Judge by the fact that until December 1909 he was Mr. Birrell's Attorney-General. A case which on the face bears every indication of the exercise of terrorism is afforded in respect of an outrage in Co. Clare. An old man named O'Dwyer was shot at ; twenty pellet-holes, it was reported, were found in his cap and one in his ear. The man, however, denied that he had been fired at : and refused to give any assistance to the police. The marks on his face, he declared, were caused by the bough of a tree. What explanation he gave of the holes in his cap, which, Mr. Birrell said, were “such as would be made by shot,” has not been made public. (*See Parl. Deb.*, March 10, 1910, vol. 14, col. 1619.) Lord O'Brien at the Clare Spring Assizes took this case to illustrate “the extent to which intimidation prevailed in the country.” O'Dwyer, he continued, was undoubtedly fired at, “nevertheless, so intimidated was he that he said he was not fired at, at all ; that was a very significant example of intimidation.”—*Dublin Daily Express*, March 2, 1910.

for security and the peace in declining to put it into operation <sup>1</sup>

In a proclaimed district too the powers of summary jurisdiction are extended by the Act. Two resident magistrates form the court, and can inflict imprisonment up to six months on persons taking part in a criminal conspiracy punishable by the existing law to compel or induce any one not to fulfil legal obligations (*e.g.* not to pay their rent), or not to let, hire, use or occupy land; or not to deal with, work for, or hire any one in the ordinary course of trade, business, or occupation, or to interfere with the administration of the law; using violence or intimidation towards any one; taking or holding forcible possession of a house or land within twelve months of the execution of a writ of possession, or assaulting any one officially engaged in executing a writ; taking part in any riot or unlawful assembly. The last provision should be especially noted, since there is attached to it no restriction confining the jurisdiction of the two resident magistrates in respect of such an offence to proclaimed districts. It only requires the sanction of the Irish Executive to put this procedure into operation, and a Chief Secretary who fears the publicity of proclamation has no such obstacle to prevent him using this power. The point is to be insisted upon, since the offence with which cattle drivers are charged is "unlawful assembly"; and Mr. Birrell, from the time he realised that procedure before sympathetic benches of magistrates had failed to punish cattle drivers, could have resorted to this clause. As it was, he made use of the old Act of Edward III. which gives no power of imprisonment with hard labour, and simply permits the magistrates to call for good behaviour. Although Mr. Birrell may have had conscientious convictions

<sup>1</sup> Lord Crewe described it as "a quite unobjectionable provision," but asserted that it could not be "usefully applied."—*Parl. Deb.*, July 6, 1910, vol. 5, col. 1139.

against putting the Act of 1887 into force even so far as this particular subsection was concerned, surely some strong reason was required to justify the use of a musty old Act of Edward III. which never received the sanction of a properly elected Parliament representing the people, as did the Act of 1887. What reasonable objection can be found to the exercise by two resident magistrates of power of imprisonment? Their position compares with that of stipendiary magistrates in our large cities. No one feels that it is "coercion" when a London stipendiary sitting alone sentences a prisoner to hard labour. Why, then, should it be thought tyrannical in Ireland for two stipendiary magistrates to have the same power, modified in all cases by a right of appeal on the merits of the case? A court similarly composed for purposes of summary jurisdiction was established by the Liberal Act of 1882. Only one other reason can explain the Chief Secretary's inaction—that he considered imprisonment unmerited having regard to the nature of the offence. He may have been of the opinion that the cattle drivers had a right to the land; but he has repudiated statements which attributed to him the view that their claims justified illegal action. His Ministerial position makes it his duty to exercise all the powers that are to his hand to suppress lawlessness. Whatever private views he may hold with regard to a particular statute, he ought not to allow them to influence his public policy to the extent of declining to allow the law to be put into operation. If he thinks a statute objectionable his proper course is to persuade Parliament to repeal it—not to repeal it in effect on his own authority. It savours considerably of autocratic powers when a Minister decides that a law shall be treated as non-existent because it does not meet with his approval.

The remaining provisions of the Crimes Act require little comment. The Attorney-General is



empowered to apply for a special jury in a proclaimed district. The Liberal Act of 1882 contained the same provision. The present Liberal Government have under the "ordinary" law brought cases before special juries, so that no great objection is evidently raised against this section. The same remark applies to the provision under which the Attorney-General may apply to the High Court to change the place of trial from a proclaimed district to some other place if he is of opinion that such proceeding would secure "a more fair and impartial trial." The defendants in such cases are given leave to appeal. It was rendered necessary by the peculiar conditions affecting Irish agrarian crime, and was sanctioned by the Liberal Act of 1882; and the Lord-Advocate in Scotland possesses the power of fixing the place of a trial by jury. The Government, under Mr. Birrell, have frequently changed the venue, the Attorney-General having to make application to the High Court for an order. The procedure differs from that set up by the Crimes Act by reason of the obligation the Attorney-General is under in each case to show cause for his application; under the Crimes Act only his certificate is necessary to the effect that he believes a change of venue would lead to a "more fair and impartial trial." The former procedure is dilatory and cumbersome; the latter rapid and simple. The fact that this procedure has been resorted to by the present Government shows that in respect of this section also Liberal opinion is not violated by the Crimes Act.

The Act also gives the Lord-Lieutenant power to proclaim as dangerous any association which he is satisfied is formed for the commission of crimes; for encouraging or aiding persons to commit crimes; for promoting or inciting to acts of violence or intimidation; for interfering with the administration of the law or disturbing the maintenance of law and order. Such associations are to be suppressed;

but the proclamation must be laid before each House of Parliament for fourteen days, and either House may present an address to the Sovereign praying that it shall not continue in force. However necessary the powers were when the Act was passed, there has been no demand that Mr. Birrell should advise the Lord-Lieutenant to exercise them; and they need not concern the reader who seeks to discover what provisions of the Crimes Act can have moved the Chief Secretary to denounce it so strongly and publicly pledge himself not to make use of it. The sections which have not been dealt with are of a temporary or definitive character, and have no bearing on the problem. All the provisions which can have influenced the Chief Secretary have been set out and examined. They have been shown to be based on the Liberal Act of 1882. The principle has been proved to be operative in Scotland and also in Ireland under the ordinary law. The charges of oppression which are brought against the Act have been shown to be baseless; and it has also been pointed out that the persons charged are given facilities to prevent the possibility of injustice arising. When these conclusions are considered it is difficult to find upon what specific provisions Liberal objections can arise. The Crimes Act, in short, created no new crime, but merely simplified and accelerated the procedure by which persons charged with existing crimes were brought to open trial.

Also the Act has been shown to be effective in restoring normal conditions—a fact which cuts away any justification for the Liberal excuse for inaction, based on the plea that no good could be expected from its operation. No doubt some Liberals have been imposed upon by the Nationalist cry of “coercion,” and without going into the question have accepted the charges brought against the Act; but no one supposes that the Liberal Ministry can be ignorant of the facts respecting the

measure which are set out in this chapter. They may bring forward many ostensible reasons for their refusal to make use of it; but never the real reason—which is, that if they do so they will lose the support of their Irish Nationalist allies.

While Mr. Birrell has refrained from putting into force the legal powers he possesses for the punishment of offenders, he has permitted a course to be pursued unchecked which has the effect of fining innocent and guilty alike. He has fallen back on the old custom of making a district responsible for law and order within its bounds. This has been the only consistent portion of his policy. Extra police are drafted into a disturbed district, and one-half the cost thereof has been charged on the local authorities of the district and ultimately of course upon the ratepayers. The customary refusal of the authorities to pay is met by deducting the sum from the grants from the Imperial Exchequer in relief of local taxation. During the five years ended September 30, 1910, in respect of twelve Irish counties, the amount charged for extra police was over £61,000.<sup>1</sup> The ratepayers too have been punished for the acts of the lawless among them by the operation of the malicious injury law, by which they have been called upon to pay, during the four years ended December 31, 1909, the sum of £49,668 in respect of malicious injuries to property.<sup>2</sup> Apart from the injustice of fining law-abiding ratepayers for acts of lawlessness in which they have taken no part, the futility of this policy as a check to agrarian crime can be easily seen from the fact that the offenders are for the most part men of little standing in the district and upon whom the burden of the rates falls lightly, if at all.

<sup>1</sup> House of Commons, November 18, 1910. (*Parl. Deb.*, vol. 20, col. 164.)

<sup>2</sup> House of Commons, February 10, 1911. (*Parl. Deb.*, vol. 21, col. 661.)

Although the Liberal Government lacked the courage to propose the legal repeal of the Crimes Act, they nevertheless ventured to allow another measure—the Arms Act<sup>1</sup>—to disappear from the statute book. That Act was passed by the Liberal Government in 1881, and was originally to continue in force for four years. Its provisions were renewed from time to time; in later times from year to year through the medium of the Expiring Laws Continuance Act. It disappeared from the schedule to the Bill of 1906, and so expired on December 31 of that year. The original Liberal Act gave the Lord-Lieutenant power to proclaim districts; no person in such a district could possess or carry arms except on the conditions mentioned in the proclamation. Persons suspected of violating the Act could be arrested, their houses searched, and any arms and ammunition found were forfeited. The penalty for contravening the Act was imprisonment for not more than three months, or a fine not exceeding £20. Arms voluntarily surrendered were to be stored by the constabulary until such time as the proclamation should cease to be in force.<sup>2</sup> The occupier of an agricultural holding, on obtaining from two justices of the peace residing in his petty sessions district a certificate that he was, of their personal knowledge, a fit and proper person to have a licence, could obtain one to have and carry arms generally or upon any specified lands.<sup>3</sup> The

<sup>1</sup> Officially known as the Peace Preservation (Ireland) Act, 1881, 44 Vict. c. 5.

<sup>2</sup> On July 1, 1910, the constabulary issued a circular giving owners of arms and ammunition voluntarily surrendered and still held by the police an opportunity of having them restored. If unclaimed within one month they would be destroyed.

<sup>3</sup> Mr. Morley in 1886 amended the Act by giving to the resident magistrate as licensing officer absolute discretion to grant or refuse licences. He also removed the justices from jurisdiction in trying cases under the Act, giving the power to a Court of two resident magistrates only, in place of a resident magistrate and one or more justices.



Lord-Lieutenant was also given power to prohibit or regulate the sale or importation of arms and ammunition into Ireland.

The possession of firearms is properly the subject of regulation ; and particularly was it necessary in Ireland, where they were used for purposes of intimidation and agrarian outrage. While the Arms Act did not forbid their legitimate use for sport or for keeping down vermin on farms, it at any rate had some effect in keeping them out of the hands of persons who would be disposed to use them for illegal purposes. Cases of shooting at the person and firing into houses became in the course of time almost extinct ; but preventive measures were still thought necessary, until the Liberal Government allowed the Act to lapse. The only justification of their action could be that they considered the restriction unnecessary and galling. To regard it as a measure of "coercion" was entirely at variance with Mr. Morley's views when defending the measure in 1893. He did not, he said, look upon it as "coercion," but essentially as a measure of police regulation, and it was from that point of view that he desired to see it renewed.<sup>1</sup> From the point of view of public safety the action of the Government was disastrous. Shooting outrages, which had almost vanished, soon became frequent, and the weapon was once more established in favour as a means of intimidation.<sup>2</sup> The Government excuse that, Arms Act or no Arms Act, these outrages would have occurred, was a defence that

<sup>1</sup> *Parl. Deb.*, vol. 17, col. 1566.

<sup>2</sup> The figures for shooting outrages generally are : 1906, 60 ; 1907, 117 ; 1908, 207 ; 1909, 127 ; 1910 (to the end of May), 69. (*Parl. Deb.*, June 23, 1910, vol. 18, col. 474-5.) Of the two particular kinds of agrarian outrages which are classified as firing at the person and firing into dwellings the returns are : Firing at the person 1906, 3 ; 1907, 9 ; 1908, 15 ; 1909, 15 ; 1910, 13. Firing into dwellings, 1906, 9 ; 1907, 40 ; 1908, 66 ; 1909, 38 ; 1910, 26. (*Parl. Deb.*, June 16, 1910, vol. 17, col. 1529 ; and February 10, 1911, vol. 21, col. 661.)

avoided explaining why they did not take place in such numbers when the Arms Act was on the statute book. Time and again the Judges have drawn attention to the wholesale and unchecked use of firearms. No difficulty is now experienced in getting revolvers. The price is low and it is said that they can be obtained on the hire-purchase system. Almost every person in some districts carries a revolver. At one Connaught Assize the depositions in every criminal case contained the words "he pulled out a revolver."<sup>1</sup> In the internal quarrels which periodically rend the Irish Nationalist Party and find scope in breaking up rival meetings, revolvers almost invariably play a part. It is more than probable that usually they are merely discharged into the air in the excitement of the moment. In the hands of a reckless man it requires little to turn excitement into resentment, and cases are reported where the shooting has been of a more serious and determined character. Indeed, the situation has even impressed the Government, and some day something is going to be done ; but with characteristic determination not to admit that their proposed action is in any way due to Irish conditions, they have determined to make any legislation applicable to the whole of the United Kingdom!<sup>2</sup> To impose on Great Britain legislation which is unnecessary in order to apply it to Ireland, where it is wanted, betrays considerable ingenuity in avoiding a break with the Irish Nationalists, who would certainly oppose a special enactment for Ireland, but could be trusted to swallow a measure which treats all parts of the United Kingdom alike.

It has, of course, been the favourite practice of Irish Nationalists to compare crime in Ireland and

<sup>1</sup> Mr. Justice Kenny, Longford Assizes, *Irish Times*, March 3, 1909.

<sup>2</sup> Mr. Birrell, House of Commons, June 16, 1910. (*Parl. Deb.*, vol. 141, col. 1441.)

Great Britain with the object of alleging that Great Britain's record is worse; and recently Liberal Ministers have adopted the same discreditable tactics as a defence of their failure in Ireland. No such comparison is possible. Agrarian crime in Ireland is entirely different from crime in Great Britain. The inhabitants of Great Britain do not boycott or otherwise intimidate a man, or drive or maim his cattle, or shoot at him or into his house, because they desire to possess themselves of the land he occupies, or because he works for, talks to, or has as a customer a man who is "obnoxious" to them. Neither do the political associations of Great Britain pass resolutions calling upon men to act in that way on the pain of being so treated themselves. Irish agrarian crime is the result of organisation, and is not openly reprobated by the populace generally. Crime in Great Britain is the work of a criminal class, just as crime other than agrarian is in Ireland. It is not part of a conspiracy to secure some material benefit by illegal methods; and its perpetrators are not treated as heroes, but are certain of being found "guilty" if the evidence is against them.

The very reason why the Liberal Government do not feel called upon to exert the full powers to repress Irish agrarian crime is its difference from ordinary crime. No one can imagine Mr. Birrell declining to put the law in motion against a murderer or thief. Yet he refrains in respect of a cattle driver, lest he be called a "coercionist." If only the Chief Secretary would give a half of the sympathy he has expended on the cattle drivers to the victims of Nationalist oppression, there would be no necessity to accuse him of lax administration, for his indignation would spur him on to suppress and punish the boycotters and intimidators who are the real "coercionists" of Ireland.

## CHAPTER IX

### THE LAND PROBLEM

ADEQUATELY to deal with the Irish Land System from the beginning would in itself require a volume of many hundred pages. Although it is for the most part of historical interest, yet the earlier history has not been without considerable influence on more recent agrarian agitation.

Of the confiscations, plantations, and legal enactments of past times it is unnecessary to write in detail. Sufficient to say that the result was to concentrate the ownership of land in a body of men who, generally speaking, differed from their tenants in both race and religion, save in Ulster, where special conditions prevailed. Even in those days Whiteboyism was responsible for agrarian outrages against the owners of the soil. Many Acts of Parliament were passed, but they possess no indications of the land-purchase code that was later to be the policy adopted for the cure of agrarian ills.

Apart from other causes of discontent, the Irish tenant had a grievance arising out of the system of tenure then existing. Unlike the British landlord who let farms, the Irish landlord generally let the land to the tenant, and it was left to him to find the capital necessary to be laid out on



the land before it could be used for agricultural purposes.<sup>1</sup>

The difference has been well explained by the Devon Commission :

“It is well known that in England and Scotland, before a landlord offers a farm for letting, he finds it necessary to provide a suitable farmhouse, with necessary farm-buildings for the proper management of the farm. He puts the gates and fences into good order, and he also takes upon himself a great part of the burden of keeping the buildings in repair during the term ; and the rent is fixed with reference to this state of things. . . . In Ireland the case is wholly different. The smallness of the farms as they are usually let, together with other circumstances, to which it is not necessary to advert, render the introduction of the English system extremely difficult, and in many cases impracticable. It is admitted on all hands that, according to the general practice in Ireland, the landlord builds neither dwelling-house nor farm offices, nor puts fences, gates, etc., into good order, before he lets his land to a tenant. The

<sup>1</sup> This was not so universally the case as is generally believed. In some cases the landlords provided equipment, such estates being known as “English-managed estates.” According to the Devon Commission, this practice was followed on twenty-two large estates. The practice on many estates was for the landlord to contribute towards the improvements either in money or in kind. In the case of the tenant desiring to erect a house on the farm he would build the walls and the landlord would give the slates and timber for the roof. It should, too, be remembered that tenants’ improvements or buildings were not for the most part of a very costly character ; whilst the prevailing smallness of Irish holdings made it economically impossible for the landlord to find the capital necessary for equipment. That their attitude, however, was not purely negative is proved by the fact that between 1847 and 1887 the landlords borrowed over £7,300,000 from the Board of Works for the erection of farmhouses and offices, labourers’ cottages, drainage, reclamation and improvements of land, and arterial drainage.

cases in which the landlord does any of those things are the exceptions. The system, however, of giving aid in these matters is becoming more prevalent. In most cases whatever is done in the way of building or fencing is done by the tenant, and, in the ordinary language of the country, dwelling-houses, farm-buildings, and even the making of fences, are described by the general word 'improvements,' which is thus employed to denote the necessary adjuncts to a farm, without which, in England or Scotland, no tenant would be found to rent it."<sup>1</sup>

The grievance would have been less felt if the tenant had possessed either fixity of tenure or compensation for improvements when giving up the tenancy. Unfortunately he had neither. He held his land from year to year according to the custom of tenancies at will, and had no right to any return for the capital sums or labour expended on improvements. The landlord might raise his rent as the condition of the land improved or it became better equipped for farming purposes; and the tenant, if he found it impossible to pay, could be turned out. His money and labour expended on his holding would be entirely lost to him. That was the general liability—subject, of course, to exceptions in the case of leaseholds and also in the case of land held under some local customary tenure, the best known of which was Ulster Tenant Right.

It will easily be gathered that the tenant looked with a proprietary eye on the buildings and improvements which were the result of his own expenditure. It should not be thought that the tenants were generally turned out after they had effected considerable improvements. At any rate,

<sup>1</sup> Report, Cd. 605 of 1845, p. 16.

before the Famine, although the landlord had despotic powers, he was often easy-going. Tenants stayed on from year to year; and this very fact made eviction all the more bitter when changes came. The Famine hit not only the Irish peasant, but also the landlord. Where the estate was mortgaged bankruptcy often followed, and the estate, sold at panic prices through the Encumbered Estates Act, 1849, passed into the hands of those who regarded it as a commercial concern, to be made to pay. The increasing agricultural prices which followed were used as a justification for increasing rents; and the policy of larger farms, which were then in favour, was adopted.

These causes, and the fact that after the Catholic Emancipation Act the landlord no longer found it advantageous to multiply holdings, since the forty-shilling franchise was swept away, led to numerous evictions, which, however economically or politically justifiable, did not tend to make the land system or landlords more popular.

It is unnecessary to relate in detail the agitation among Irish tenants for a recognition of their right to compensation for improvements, or to deal with the Parliamentary history of those measures which were introduced time and again during the earlier half of the nineteenth century, with the object of legalising the tenants' demand. The Parliamentary side of the agitation began with the introduction of Mr. Sharman Crawford's Tenant Right Bill in 1835.<sup>1</sup> Men's minds were principally directed to that end, and but little was heard of the policy

<sup>1</sup> "Two Reports for the Irish Government on the History of the Landlord and Tenant Question in Ireland, with suggestions for Legislation," by W. Neilson Hancock, LL.D., Cd. 4204 of 1868-9. This is a useful account of attempts to reform the Irish land laws; the subject is also dealt with in Barry O'Brien's *Parliamentary History of the Irish Land Question*, 1880.

of purchase.<sup>1</sup> Parliament, however, declined to agree to the principle of compensation for improvements, although repeated attempts were made, not only by private members, but by the Government of the day, to pass a Bill embodying this object. So far from making progress, those who were fighting the Irish tenants' cause received a set-back by the passing, in 1860, of Deasy's Act,<sup>2</sup> which endeavoured to remove the old system which depended on tenure, and defined the relation between the landlord and tenant as based on contract. Framed with the best intentions, and accompanied by another Act,<sup>3</sup> which recognised to some extent the tenant's claim to compensation for improvements, it gave the landlord the power of evicting a tenant by a simpler and easier process when one year's rent was owing. The Act was generally ignored, and, in the years which followed, attempts were made, without success, to amend it.

The year 1870 really marks the first period of modern Irish land legislation. It would not be right to say that the earlier Bills and Acts were not without effect upon later legislation; and no one can study the question without seeing the gradual recognition and acceptance of the idea that legislation for the amendment of Irish land law was needed in the

<sup>1</sup> Peasant proprietary was Bright's solution. He succeeded in introducing the principle into the Irish Church Act, 1869. The Irish Church Temporalities Commissioners could sell their holdings to tenants of Church land at prices fixed by the Commissioners. The terms were cash, or one-quarter cash and the remainder secured on mortgage of the holding, to be paid off in thirty-two years by sixty-four half-yearly instalments. If the tenants declined to purchase on the terms offered, the lands could be offered to the public. Under these provisions 6,057 tenants bought; and the money issued on loan to them amounted to £1,674,841. (*Dudley Commission*, Appendix to Third Report, Cd. 3414, pp. 329-30.)

<sup>2</sup> 23 and 24 Vict. c. 154. Deasy—the author—was the Irish Attorney-General in the Palmerston Government in 1860. He was afterwards promoted to the judicial bench.

<sup>3</sup> 23 and 24 Vict. c. 153.



interests of the tenant. Indeed, nothing is more striking than the unanimity with which statesmen of all political creeds condemned the land system in Ireland.<sup>1</sup>

This is a fact which should not be forgotten. It is usual to credit Irish landlords with all the vices which can be attached to that class. Whilst there were individual instances of praiseworthy landowners, against whom such accusations could not be brought, it is difficult to see how, as a body, they could expect to escape odium when the nature of the law under which their tenants held land is considered. The landlords are blamed, but should not the land laws be urged in mitigation, at any rate, of their actions? The landlords were surely to some extent visited with the evils which were really attached to the system. Landlord-baiting is to-day a popular pastime with a certain type of politician; and this is certain, that the sport was not less attractive in Ireland when the law of landlord and tenant gave many opportunities for indulgence.

In fairness to a much-abused class, it should be stated that eminent men, whose opinion of Irish landlords was not expected to be too good, have borne favourable testimony to their qualities. Writing of the period of the famine, Mr. A. M. Sullivan, Nationalist M.P. for Louth from 1874 to 1880, and for a short time afterwards for Meath, wrote :

“Granting all that has to be entered on the dark debtor side, the overwhelming balance is the other

<sup>1</sup> So, much later, Mr. Balfour : “ I can imagine no fault attaching to any land system which does not attach to the Irish system. It has all the faults of peasant proprietary ; it has all the faults of feudal landlordism ; it has all the faults incident to a system under which the landlords spend no money on their property, and under which a large part of the land is managed by a Court. It has all the faults incident to the fact that it is the tenant's interest to let his farm run out of cultivation as the term for revising the judicial rent approaches.” (House of Commons, May 4, 1903, *Parl. Deb.*, vol. 121, col. 1252.)

way. The bulk of the resident Irish landlords manfully did their best in that dread hour. No adequate tribute has ever been paid to the memory of those Irish landlords—and they were men of every party and creed—who perished martyrs to duty in that awful time : who did not fly the plague-reeking workhouse or fever-tainted court. Their names would make a goodly roll of honour.”<sup>1</sup>

So too, Mr. Gladstone, introducing the Irish Land Bill of 1881, said :

“ Well, Sir, neither, I am bound to say, should we think it just to propose legislation on this great matter on this ground, whether expressed or implied, of general misconduct on the part of the landlords of Ireland. On the contrary, as a rule, they have stood their trial, and they have, as a rule, been acquitted. The report of the Bessborough Commission,<sup>2</sup> which certainly is not deficient in its popular sympathies, in its tenth paragraph declares that the greatest credit is due to the Irish landlords for not exacting all that they by law are entitled to exact ; and it likewise points out with perfect justice that if they had exacted all that they would by law be entitled to exact, they would have been guilty of injustice ; they would have appropriated the result of their tenants’ labours in the improvement of the soil. Again, I find in the ninth paragraph a remarkable statement which runs as follows : ‘ It was unusual to exact what in England would have been considered a full or fair commercial rent. Such a rent over many of the larger estates, the owners of which were resident and took an interest in the welfare of their tenants, it has never been the custom to demand. The example has been largely followed ; and is to the present day rather the rule than the exception in Ireland.’ ”<sup>3</sup>

<sup>1</sup> *New Ireland*, p. 63, and footnote.      <sup>2</sup> Cd. 2779 of 1881.

<sup>3</sup> *Hansard*, April 7, 1881, vol. 260, col. 892.

Let, therefore, this much be conceded—that whatever was wrong with Irish agrarian affairs was due not entirely to the original sin of the landlords, but also to the inherent defects of the Irish land system.

It was Mr. Gladstone, fresh from the triumph of his Irish Church Bill, who placed on the statute book the first of the long series of modern Irish Land Acts. His proposals were not enthusiastically welcomed by the Cabinet. Discussions, doubts, and difficulties arose, and were not easily overcome. The policy of the Bill as described by Gladstone was “to prevent the landlord from using the terrible weapon of undue and unjust eviction, by so framing the handle that it shall cut his hands with the sharp edge of pecuniary damages. The man evicted without any fault, and suffering the usual loss by it, will receive whatever the custom of the country gives, and where there is no custom, according to a scale, besides whatever he can claim for permanent buildings or reclamation of land. Wanton eviction will, as I hope, be extinguished by provisions like these. And if they extinguish wanton eviction, they will also extinguish those demands for *unjust* augmentations of rent, which are only formidable to the occupier, because the power of wanton or arbitrary eviction is behind them.”<sup>1</sup> Put into more concise language, the Act—which was by no means strenuously opposed during its passage as a Bill through Parliament—legalised :

1. Compensation for disturbance ;
2. Compensation for improvements ;
3. The Ulster Custom.

A word is necessary in explanation of these three features. As to compensation for disturbance, for

<sup>1</sup> Morley's *Life of Gladstone*, vol. ii. p. 294.

which the landlord was liable if he disturbed the tenant in his holding, the Act limited it both as to amount and extent. In no case was it to exceed £250, and it applied only to yearly tenants whose holding was rated at not more than £100 a year, and to future tenancies. A tenant in arrears, unless the Court considered the rent for which he was evicted was an exorbitant one, or who had sub-let or divided his holding without written permission, was deprived of the benefits of these provisions.

Compensation for improvements could be claimed by all tenants on quitting their holdings, whether freely or by eviction; subject to certain exclusions, of which the principal were improvements made twenty years before the claim; improvements prohibited by the landlord in writing as diminishing the general value of his property and considered by the Courts to be of that nature; and improvements executed in pursuance of or in contravention of a contract. Or the outgoing tenant could dispose of his improvements to the new-comer. Leaseholders of more than thirty-one years could only claim for permanent buildings and the reclamation of waste land; and tenants of not less than £50 annual value could contract out.

The Ulster Custom was not only a barrier against capricious eviction, but also recognised the right of a tenant to an interest in the farm. How it arose, and its exact nature, are questions upon which agreement among authorities is impossible. By some it is attributed to the special features which marked the plantation of Ulster<sup>1</sup>; others, from the fact that Arthur Young, an industrious observer and inquirer, makes no mention of any custom in Ulster in his account of agriculture in Ireland, which was published in 1780, are disinclined to agree that its origin goes so far back. Indeed, it

<sup>1</sup> See Barry O'Brien's *Parliamentary History of the Irish Land Question and the Origin and Results of the Ulster Custom*.



appears to have attracted no attention until the report of the Devon Commission was issued in 1843.<sup>1</sup>

What is meant by the tenure can only be given in a general manner. The Act of 1870 avoided a definition, and the custom differed on different estates to such an extent that it might almost be said that there were hundreds of varieties of it. Isaac Butt deduces the following general result from an attempt to collect together into one view the principal authoritative statements on the subject: "It is universally conceded that throughout large districts of Ulster a custom has prevailed beyond the time of living memory, under which tenants, even those holding from year to year, have been in the habit of selling to others their interest in, or their occupancy of their farms. The prices received upon such sales have amounted to very large sums—in some instances to an amount equal to, or even exceeding, the value of the landlord's interest in the rent. There is no doubt that this practice has prevailed from a period far beyond the period to which living memory can extend, and that any attempt by the landlord to prevent the tenant obtaining the customary price would have been always regarded as a violation of the custom of the province. Beyond this, very little can be asserted that will not travel into debatable ground." He continues: "That it confers upon the tenant a right to sell is admitted—but when the question is asked, what it is that he sells, no answer can be given upon which men will agree. In the copyhold tenures of England the right which the tenant transfers is one ascertained and protected by the customs of the manor and secured to him by law. In the tenant-right of Ulster, the interest which he transferred is one which, as far as legal obligation is concerned, depended entirely upon the terms he might be able to make with his landlord,

<sup>1</sup> Butt's *Treatise on the New Law of Compensation*, 1871, p. 303.

and, even in relation to the claim which the custom could give him, might depend upon matters as transitory as the mutual good-will of a proprietor and his tenants, and upon usages preserved only in traditions as fleeting and uncertain as the memories of men."<sup>1</sup>

Whatever its origin, the Ulster tenants tenaciously held to the custom, and strenuously combated all attempts to undermine or diminish it, by combination and even by resort to arms. No surprise need be felt. It was a valuable possession, the tenants' saleable interest often fetching more than the landlord's fee simple. Considerable evidence can be produced to show that authoritative observers attribute to its operation Ulster's immunity from agrarian outrages.<sup>2</sup> This custom the Land Act of 1870 legalised, as it did similar customs in other parts of Ireland. There was no statutory definition of such customs; indeed, that would have been impossible, for although they possessed common factors, yet there were many minor differences.

Certain clauses of the Act (32-47), which so far as their effect was concerned were a failure, are interesting inasmuch as they form a step towards the modern solution of the problem—land purchase. They were introduced at the instance of Mr. Bright—hence their popular name "Bright Clauses"—who was a supporter of the policy of peasant proprietorship. Where tenant and owner came to an agreement, application was to be made to the Landed Estates Court to carry through the transaction. The Commissioners of Public Works could advance a sum representing two-thirds of the value of the holding, to be repaid by an annuity at the rate of

<sup>1</sup> Butt, pp. 298-300. On pp. 302-10 will be found the statements of authorities to which reference is made, and from which the above result is deduced.

<sup>2</sup> Barry O'Brien, *Parliamentary History of the Irish Land Question*, pp. 173-82.

five per cent. extending over a period of thirty-five years. Another clause provided that the Landed Estates Court, on the sale of an estate, should, so far as was consistent with the interests of the persons interested in the estate or the purchase money, afford, by the formation of lots or otherwise, all reasonable facilities to occupying tenants desirous of purchasing their holdings. The clauses were not a success. Only 877 tenants bought under this Act; £514,536 was issued on loan; and the purchase money amounted to £859,000.<sup>1</sup> The reasons are not far to seek. The Landed Estates Court's title extinguished all rights inconsistent with the terms of the grant by the Court. Such care and stringent examination were required that the provisions became difficult to work. So too advances from the Board of Works were not easy to obtain, since the Board had to be satisfied that the security for the loan was unquestionable. The last provision was so loosely drawn that the dispute and litigation it occasioned prevented its working.

The other provisions of the Act were equally unsuccessful in their operation. Between 1871 and 1880, out of 6,163 applications for compensation, only 1,808 were granted. The total sum awarded was £147,304, and of this £82,543, more than half, was taken by Ulster farmers. The causes of failure were twofold—administrative and economic. The former is technical and, except as a lesson in what to avoid, of small interest to-day.<sup>2</sup> The latter was inevitable. The rise in prices which marked the years following the Act to 1878 justified the landlord in increasing rents, which the tenant paid rather

<sup>1</sup> *Dudley Commission, Appendix to Third Report*, Cd. 3414, p. 330.

<sup>2</sup> "The Act of 1870 failed because it had too many exceptions and limitations; because in administration the compensation to the tenant for disturbance was inadequate; and because it did not fix the cultivator in his holding."—*Morley's Life of Gladstone*, vol. iii. p. 54.

than be evicted.<sup>1</sup> It was a good time for him, and the Act also gave him a valuable interest in the land, upon which he borrowed money. When prices fell, debts could not be met: bankruptcy and failure followed.

But the Act of 1870 is important not through its immediate effect but through the indirect consequences. Says Mr. Morley: "What seems so simple, and what was so necessary, marked in truth a vast revolutionary stride. It transferred to the tenant a portion of the absolute ownership, and gave him something like an estate in his holding."<sup>2</sup> The fact was not appreciated then. He continues, quoting Lecky,<sup>3</sup> "Few persons clearly foresaw that it was the first step of a vast transfer of property, and that in a few years it would become customary for ministers of the Crown to base all their legislation on the doctrine that Irish land is not an undivided ownership, but a simple partnership."<sup>4</sup>

There was indeed little finality about the Act of 1870; and with its failure, surprise can hardly be felt that demand for fresh legislation arose. Irish agrarian agitation had been constantly associated with deplorable lawlessness and outrage. The Act of 1870 was accompanied by a Coercion Act; and in earlier times the statute book contained Acts directed against agrarian disorder. Although Irish representatives at Westminster supported land reform, it would be difficult to associate them with offences against the law which gave expression to discontent. The demand for agrarian reform was for legislation which would give the tenants the benefits of the "three F's"—fixity of tenure, fair rents, and free sale. But there was approaching an

<sup>1</sup> It should not, however, be presumed that the rent was always increased through higher prices. There were often other reasons—enlargement of holdings, for example.

<sup>2</sup> *Life of Gladstone*, vol. ii. p. 294.

<sup>3</sup> *Democracy and Liberty*, vol. i. p. 165.

<sup>4</sup> *Life of Gladstone*, vol. ii. p. 296.



agitation which would have nothing to do with the ordinary constitutional methods. In 1879 Michael Davitt—a convicted Fenian—established the Land League. He and his colleagues invited and obtained the assistance of the Physical Force party in America, including the Clan-na-Gael. That organisation was founded with the intention of bringing about the absolute independence of Ireland as a separate nation. To it was linked agrarian agitation,<sup>1</sup> not with the primary object of improving the position of the Irish tenant, but with the declared object of getting rid of the landlords. It was desired to drive British rule out of Ireland, and the landlord was regarded as the foundation of British occupation. It was an astute move to popularise Home Rule by tacking to it an agrarian programme of peasant proprietorship.<sup>2</sup>

But the regeneration of the Irish tenant occupied a second place,<sup>3</sup> although the agitators did not scruple to work on his feelings and encourage agrarian lawlessness to further their Home Rule policy. Indeed, as Dr. Moritz Bonn shrewdly observes: "Agrarian reform for a large number of Irish politicians is not the ultimate aim; it is rather a means of keeping alive the claims of national

<sup>1</sup> The idea was not a new one. It was advocated as far back as 1848 by James Fenton Lalor in the *Irish Felon*. (See Prof. Brougham Leech's pamphlet, 1848 and 1881: *the Continuity of the Irish Revolutionary Movement*: London, 1887.)

<sup>2</sup> Mr. T. M. Healy, M.P.: "We believe that landlordism is the prop of English rule, and we are working to take that prop away. To drive out British rule from Ireland, we must strike at the foundation, and that foundation is landlordism." (Boston, December 24, 1881.)

<sup>3</sup> Mr. Parnell: "I wish to see the tenant-farmers prosperous; but large and important as is the class of tenant-farmers, constituting as they do, with their wives and families, the majority of the people of this country, I would not have taken off my coat and gone to this work if I had not known that we were laying the foundation in this movement for the regeneration of our legislative independence." (Galway, October 1, 1880.)

independence. A final agrarian reform is therefore hardly desired, for if it were final the utility of the agrarian question as an engine of political agitation would be at an end. Thus it was always the policy of the Irish leaders to ask for more than they could get, to take what they could without making themselves responsible for it, and to direct the strength of the agitation with unabated intensity towards the objects still unattained."<sup>1</sup> This tendency is still alive; and, as will be mentioned later, attempts were made by prominent Irish Nationalist leaders to retard and prevent the smooth working of the Land Act of 1903; just as other remedial activities have met with the same obstacle, lest their success should minimise the discontent upon which Home Rule is nourished.

Agrarian agitation has been given a chapter to itself. But it should not be forgotten that legislators at Westminster had always to recollect the existence of this lawlessness when they were dealing with the Land Question. Mr. Gladstone had it in mind when engaged in passing the Land Bill of 1881 into law. What Parnell and the Land League might do was a thought that was always present.<sup>2</sup> Following upon measures for the repression of outrage, came the Land Bill in the Session of 1881. For an amendment of the law, Mr. Gladstone was possessed of the favourable reports of two Royal Commissions. The Richmond Commission,<sup>3</sup> which was appointed

<sup>1</sup> *Modern Ireland and her Agrarian Problem*, 1906, p. 78.

<sup>2</sup> Introducing the Land Bill in 1881, Mr. Gladstone said: "I cannot but contrast the circumstances in which we address ourselves to this task with the happier circumstances of the year 1870. . . . We are obliged now to enter on the consideration of this question, above all things requiring tranquillity, impartiality, and strict balance of mind, in the midst of a state of things which we cannot call less than a disturbed state of things, a state of things so disturbed as undoubtedly to have influenced the minds of men, not less seriously perhaps than the real and permanent merits of the question."—Hansard, vol. 260, col. 890-1.

<sup>3</sup> Appointed by the Conservative Government in 1879. (Preliminary Report, Cd. 2778 of 1881.)

to consider agricultural questions affecting the United Kingdom generally, issued through a supplemental commission a special report on Ireland, owing to "the aspect of public affairs there," and advised legislation to prevent arbitrary raising of rents. A minority report recommended reform of the Irish land laws on the basis of the "three F's." The majority of the Bessborough Commission,<sup>1</sup> appointed by Mr. Gladstone in 1880 to inquire into the Irish land laws after the House of Lords had declined to accept the Government Bill giving tenants who had not paid rent compensation for disturbance if evicted, suggested a repeal of the Act of 1870, which they declared had failed to give satisfaction to either party, and also recommended the "Three F's" as forming the foundation of a new code of land laws. Mr. Gladstone accepted these opinions, and introduced his Bill, which after considerable discussion and considerable alteration of detail<sup>2</sup> became law, but not without the loss from the Cabinet of the Duke of Argyll, the Lord Privy Seal.

The Fair Rent clauses gave the tenant power to have a fair rent fixed for his holding by a judicial body—the County Court Judge<sup>3</sup> or the Land Commission which was set up by the Act. The rent so fixed continued for fifteen years, and was styled "a first-term rent"; at the end of that period the tenant might again apply to the Court to have the rent fixed, and such rent became "a second-term rent"; and so on at the expiration of every fifteen-year period. Similar powers were given to the land-owners to get their rents fixed by the Court.

Consequential upon such provisions was "fixity

<sup>1</sup> Report, Cd. 2779 of 1881.

<sup>2</sup> The text of the Bill and the Act is printed in parallel columns in the *Annual Register* of 1881.

<sup>3</sup> Subject to an appeal to the Chief Land Commission. The County Courts are but little used. Practically all Fair Rents are fixed by the Land Commissioners.

of tenure," by which the tenant remained secure in the possession of his holding (and subject to no increase of rent) so long as he paid the rent fixed by the Court and observed certain other "statutory conditions." Eviction except for breach of a "statutory condition" was impossible. A tenant whose rent had not been fixed could, if threatened with eviction, apply to the Court for a statutory rent, and meanwhile the eviction proceedings were suspended.

As has already been mentioned, the Ulster tenants through the operation of the Ulster Custom had acquired a valuable interest in the land, which was disposed of by them at good prices when giving up their farms. The Land Act similarly invested the tenants of other parts of Ireland with an ownership interest in their holding. This they could freely sell when giving up the holding—whether they had had a fair rent fixed or not—to the highest bidder, subject to the landlord's right of pre-emption; even if evicted they could redeem their tenancy or sell it to a purchaser, who could redeem it within six months, and by so doing again acquire for the holding the privileges formerly attached to it. The Land League and its successor, the National League, endeavoured to prevent these clauses operating. No person was permitted to bid for a tenant's interest in respect of any holding from which the tenant had been evicted for non-payment of rent. This command deprived many tenants of property of considerable value, the tenant's interest often exceeding the price paid for the fee-simple to the landlord, thirty years' purchase of the rent not being an unusual price for the tenant's interest.

The purchase policy was dealt with by the Act, the State advance being extended up to three-quarters of the price; and the administration was placed in the hands of the newly-established Land Commission.



Many of the Irish Nationalists declined to support the Bill in the House of Commons; and by leaving themselves unpledged, they were free to criticise the measure. Of this they speedily availed themselves. The scope of the Act was attacked. Large numbers of tenants were said to be excluded. Exclusions there were—leaseholders,<sup>1</sup> non-resident tenants of grazing lands, grazing holdings of annual value of £50 or over, future tenants,<sup>2</sup> and other small classes, such as hired labourers, and so forth. "On the whole," says an authority, "it will be seen that none of the tenant-farming class, whom the Act was passed to benefit, are affected by these various exclusions."<sup>3</sup>

Particularly, however, was the opposition of Parnell and the Land League directed against the rent-fixing clauses of the Act. At a Convention of the League in Dublin in September 1881 resolutions were adopted forbidding the tenants to make use of the fair rent clauses, and the Executive were empowered to select test cases "in order that tenants in surrounding districts may realise, by the result of the cases decided, the hollowness of the Act." Indeed, it was upon the charge of inciting persons to intimidate others with a view to compel them to abstain from applying to the Courts to have a fair rent fixed that Mr. Gladstone committed Parnell to

<sup>1</sup> Most leaseholders were subsequently admitted by the Act of 1887.

<sup>2</sup> The holder of a yearly tenancy which was created since the passing of the Act of 1881. Such tenancy, being created under free contract, does not give the holder the right of having a fair rent fixed. Included among the "future tenants" are those men who have lost their tenancy under the operation of Section 7 of the Land Act, 1887, but are still in occupation of their land, having come to terms with the landlord. A "present tenancy," on the other hand, was defined by the Land Act, 1881, Section 57, as being one "subsisting at the time of the passing of this Act, or created before the 1st day of January, 1883, in a holding in which a tenancy was subsisting at the time of the passing of the Act." For these "present tenancies" judicial rents could be fixed.

<sup>3</sup> T. M. Healy, M.P., *The Land Law (Ireland) Act*, p. 40.

prison. After advocating this policy there was later unconscious humour in the Nationalist complaint that, as only a limited number of tenants applied to have a fair rent fixed, the Act was restricted in scope and a failure in operation.<sup>1</sup>

A particularly striking return<sup>2</sup> was presented to the House of Commons in 1909, showing the percentage of reductions of rentals under the Fair Rent provisions. On first-term rents the reduction amounted to 20·7 per cent., and on second-term rents to 19·6 per cent.—the reduction for the two statutory terms being 35·9 per cent. Nationalists asserted from the beginning that the reductions were proof that the landlords had been previously rack-renting their tenants. The charge ignored the material point that the original contract rents were made in a time of higher prices, and were therefore naturally higher than the Fair Rent Courts would fix in a period of low prices. Landlords, too, in times of depression had not been accustomed to demand the full contract rent. Arrears, indeed, were dealt with by special legislation in 1882, when tenants the annual valuation of whose holdings was under £30<sup>3</sup> had the past wiped out upon payment of one year's rent, no matter how much was owing, if the Court

<sup>1</sup> Notwithstanding this opposition, almost universal use has been made of the "fair rent" clauses. The entire number of rents fixed under the Land Law Acts to March 31, 1910, where the parties applied to have fair rents fixed for a first statutory term, was 375,467. The total rental dealt with was £7,421,109, and the aggregate judicial rent fixed in respect thereof was £5,883,248, the result being an average reduction of 20·7 per cent. over the entire country. The entire number of rents fixed to March 31, 1910, for a second statutory term was 137,609. The total rental in these cases for the first statutory term was £2,473,291, and the aggregate judicial rent fixed in respect of the same for a second statutory term was £1,989,951, the result being an average reduction of 19·5 per cent on first-term rents."—*Report of Irish Land Commissioners, 1909-10*, Cd. 5321.

<sup>2</sup> No. 119 of 1909.

<sup>3</sup> 88·6 per cent. of the holdings.

was satisfied that they were willing but unable to pay. The landlord received the equivalent to another year's rent from the Irish Church Temporalities Fund, and renounced further claims. Incidentally the tenants obtained the privileges of the Act of 1881, from which, being in arrears, they had been debarred.<sup>1</sup>

By the operation of the rent-fixing clauses the income of many landlords was considerably reduced. Mr. F. Hugh O'Donnell mentions the case of Colonel King Harman, M.P. : "The King Harman estates produced £40,000 a year; but £32,000 a year was swallowed up in charges and encumbrances. Still £8,000 formed a noble income in Ireland, and the popular colonel was quite a magnate in the Home Rule party. Mr. Gladstone's commissioners reduced the King Harman rents on an average by 20 per cent., which just amounted to £8,000! The encumbrances were sacrosanct; the moneylenders who had lent to Colonel King Harman's ancestors were sacred and immune. Colonel King Harman, the magnate of Home Rule conferences, was made an absolute pauper."<sup>2</sup> From the point of view of good husbandry the principle of the clauses was bad. It was to the tenant's interest not to allow the farm to appear too highly cultivated or prosperous if he desired to get his rent reduced. In the course of time considerable dissatisfaction was felt with the practice and methods of the rent-fixing courts, and with their procedure in ascertaining the true value to be paid for the tenant's interest in a holding by a landlord exercising the right of pre-emption. The numerous appeals from the Sub-Commissioners for re-hearing to the Land Commission was too a matter of serious complaint.

The approaching expiration of the first-term

<sup>1</sup> 126,882 holdings were affected. The annual rental being £1,185,265, and £1,820,586 of arrears were wiped out.

<sup>2</sup> *A History of the Irish Parliamentary Party*, vol. ii. pp. 76, 77.

period moved the Government in 1894 to appoint a Select Committee to inquire into the principle and practice of the fair rent and free sale provisions of the Land Acts. The Committee, known as the Morley Committee, after the Chief Secretary, reported<sup>1</sup> in favour of considerable changes, after a chequered career, six Unionist members seceding by way of protest. A Bill, largely based on the report, was introduced in 1895, but the resignation of the Government ended its existence. In 1897 the question of the administration of the rent-fixing clauses was investigated by a Royal Commission under the chairmanship of Sir Edward Fry.<sup>2</sup> Their suggestions were necessarily of a technical character; and they recommended improved methods, as a result of which some alterations were made in the procedure of the Commissioners. But the same complaints of want of definite and fixed principles of valuation continued to be made, not only in respect of rents but also of arriving at valuations under the Purchase Acts.<sup>3</sup>

Bills were from time to time introduced for an amendment of the land laws and for the extension of the purchase policy : by Parnell in 1883 and again in 1886 ; by the Liberal Government in 1884, and as a companion measure to the Home Rule Bill of

<sup>1</sup> *House of Commons Paper*, No. 310 of 1894.

<sup>2</sup> Report, Cd. 8734 of 1898.

<sup>3</sup> *Dudley Commission Report*, Cd. 4097 of 1908, par. 159 : "Parliament has never found it possible to frame a definition of a fair rent, nor the Land Commission any rules for the guidance of their officials. The Fry Commission is said to have proved that fair rents were fixed on no settled principle, and that each valuer was forced to rely largely on his own unaided judgment ; and we have had evidence to the same effect from a very experienced witness (Mr. Commissioner Bailey), who was himself engaged for sixteen years in the administration of these Acts. Undoubtedly, there has been a great deal of dissatisfaction expressed both by landlords and by tenants as to the fixation of rents, the reality of which is revealed by the great number of fair rents appeals that have to be heard every year."



1886. None of them, however, became law. Indeed, it was the short Conservative Government of 1885 which next legislated on the subject.

The purchase clauses of the Act of 1881 were not successful. The purchasing tenants numbered no more than 731, and the money advanced amounted to £240,801.<sup>1</sup> Meanwhile, purchase had not only been adopted by the Irish Nationalists as their policy, but also formed the Conservative remedy for the agrarian ills of Ireland. The Salisbury Government of 1885 passed the first Act devoted entirely to land purchase. Together with an Amending Act in 1888, they are commonly known as the Ashbourne Acts.<sup>2</sup> The tenant and the landlord having come to an agreement as to terms, and the Land Commission being satisfied that the holding offered security for the proposed advance, the purchase-money, to the extent of four-fifths, was paid over to the landlord by the State. One-fifth was retained, being the "guarantee-deposit,"<sup>3</sup> the State paying 3 per cent. on it to the depositor, who might be the landlord or the tenant, or "any person," but was in practice almost always the landlord. At the end of eighteen years the "guarantee deposit" was paid over to whomsoever was entitled to have it. If to the landlord, it ended his connection with the land; if to the tenant, he could use the money to reduce the period of his annuity. This was terminable at the end of forty-nine years; and the interest on the sum advanced was 3 per cent., with 1 per cent. sinking fund. By the Act of 1885 £5,000,000 was set apart for purchase under its provisions: so popular did it prove that by April

<sup>1</sup> *Dudley Commission, Appendix to Third Report*, Cd. 3414, p. 330.

<sup>2</sup> From Lord Ashbourne, the Irish Lord Chancellor 1885-6, 1886-92, and 1895-1905.

<sup>3</sup> The Act of 1896 permitted of the whole or part of this deposit being dispensed with if the security for repayment was considered to be sufficient without it.

1888 the whole amount had been applied for. An Act passed in that year sanctioned the raising of a further sum of £5,000,000. Altogether under the Ashbourne Acts 25,367 tenants purchased their holdings, and the amount advanced on loan was £9,992,536.<sup>1</sup>

Meanwhile the law as it related to the land, apart from purchase, received attention. A Commission was appointed in 1886, under the chairmanship of Earl Cowper, to inquire into the state of Ireland. It reported,<sup>2</sup> so far as the land laws were concerned, in favour of amendments to meet the fall in prices, which had impaired the ability of the farmer to pay the full rent. The Government measure was introduced in 1887, and became law. It met the recommendations of the Cowper Commission by empowering the Land Courts to vary rents fixed between 1881 and 1885 in accordance with the difference in prices between those years and 1887-8-9. It permitted most leaseholders to break their contracts and have a judicial rent fixed.<sup>3</sup> In the case of tenants whose annual valuation was below £50—94 per cent.—the Courts, before which proceedings were taken for the recovery of any debt, could stay eviction proceedings and direct the repayment of the debt to be made by instalments. Fair rents were to date from the time of the application, and not from the date of the decision of the Court.<sup>4</sup>

The success of the Ashbourne Acts led to further legislation on the same lines. A Bill introduced in

<sup>1</sup> *Dudley Commission, Appendix to Third Report*, Cd. 3414, p. 330.

<sup>2</sup> *Report*, Cd. 4969 of 1887.

<sup>3</sup> Perpetuity leaseholders were included by an Act passed in 1891, unless the landlord agreed to their rents being redeemed.

<sup>4</sup> So far as the Nationalists were concerned they directed attention to Section 7 of the Act of 1887, to which they gave the name of the "eviction-made-easy clause." Under it, notice was served on a tenant who was in arrears of rent, and, instead of turning him

1890 was dropped. It was re-introduced in 1891 together with proposals for relieving congestion, and improving the congested districts by the establishment of a Board empowered to carry out such objects.<sup>1</sup> The Bill differed from previous Purchase Acts inasmuch as there was in practice no limit to the total amount that might be advanced ;<sup>2</sup> and payment was to be made in a specially created and guaranteed land stock at face value, bearing interest at  $2\frac{3}{4}$  per cent., not redeemable for thirty years, and exchangeable for consols. The administration of the Act was entrusted to the Land Commission. The Commission was to open a Land Purchase Account, into which the tenants' instalments were to be paid, and from which the sinking fund and interest on the stock were to be met. A Guarantee Fund was established to meet any failure that might arise to meet the charges for sinking fund or interest—owing, for instance, to a failure on the part of the tenants to pay the instalments due. It consisted of: (1) a cash portion—the Irish probate duty grant and £40,000 a year from the Consolidated Fund; and (2) a contingent portion made up of various grants from the Imperial Exchequer in aid of local government.

This provision made the ratepayers responsible for the financial obligations incurred, and relieved the Imperial Exchequer from any liability. As amended and brought into the later Act of 1903, it

out by actual eviction, he was turned into a "caretaker," and lost the right of having a fair rent fixed by the Court. At any time during six months he could get this right restored upon payment of the arrears of rent and costs. Where this was not done, and the tenant was not turned out, having come to terms with the landlord, he became a "future tenant."

<sup>1</sup> See Chapter XI., pp. 231-7.

<sup>2</sup> The original advances were limited to £33,000,000, the capitalised value of the Guarantee Fund. But as payments were made, further amounts could be issued. The limit was, however, never passed; the total advance being under £14,000,000.

was the cause of considerable difficulty through conditions which were unforeseen.<sup>1</sup>

The amount of stock which could be raised for each county was limited to twenty-five times its share in the Guarantee Fund. The provision underwent changes, and, if the Treasury approved, the limit could be raised to sixty times.<sup>2</sup> Under this Act and the amending Act of 1896 the purchasers' annuity was calculated at 4 per cent., the amount being repayable in forty-nine years,  $2\frac{3}{4}$  per cent. interest, and  $1\frac{1}{4}$  per cent. sinking fund. The amending Act contained provisions reducing the annuity and extending the term at the end of the first three decennial periods in proportion to the amount remaining unpaid.

Under these Acts 46,828 tenants purchased; the amount of advances being £13,145,762.<sup>3</sup>

The passing of the Act of 1896 is a convenient point at which to bring this chapter to an end. The Act of 1903 opened up a new era in Land Purchase. The earlier legislation dealt with in this chapter has shown throughout a gradual development of Irish land policy. There was the period before 1870, when the tenants' demands received but scant attention; then came a series of Acts, the principal object of which was amendment of the existing land laws in the interest of the tenant; the purchase policy was not entirely ignored, but it occupied a subordinate place, and the clauses were by no means widely used; afterwards purchase was adopted as affording the best solution of the agrarian question, the success attending the earlier Purchase Acts paving the way for a big attempt at establishing ownership in place of tenancy.

<sup>1</sup> See Chapter X., pp. 202-4.

<sup>2</sup> Act of 1903, sect. 46.

<sup>3</sup> *Report of Irish Land Commissioners*, 1909-10, Cd. 5321, p. 6.



## CHAPTER X

### THE ACT OF 1903 AND AFTER

BETWEEN 1896 and 1902 Parliament was not entirely free from discussion on the Irish Land Question. The Irish Nationalists in the House of Commons pressed the claims and hardships of the tenants, and advanced a plea for compulsory sale. In the House of Lords the representatives of the landowners complained strongly of the working of the Acts, and endeavoured to secure compensation for injury they had suffered as the result of legislation since 1881. The Government turned a deaf ear to both parties; and it was not until 1902 that they proposed further legislation. The reasons the Chief Secretary then put forward were the enormous number of appeals, the practical prohibition of any capital expenditure by the landlord, and, so far as the policy of purchase was concerned, the exhaustion of the number of owners willing to sell at the existing rates, owing to depreciation in the price of stock, costs, and other difficulties. The Bill did not proceed beyond its introductory stage.

In the autumn, however, an event took place which was to have the most far-reaching results on land purchase. The situation in Ireland was troubled. The United Irish League was in full activity; its opponents had formed a Land Trust to provide the funds and organisation necessary

to defend and protect those whom the League attacked. The Government, moreover, had been compelled to take decisive steps to check disorder. On September 3 a letter appeared in the press from Captain Shaw Taylor, a Galway landlord, inviting the principal landowners and Nationalists, as representing the tenants, to take part in a conference to which proposals for settling the land question would be submitted. For a while it seemed that the project would be still-born. The leading landlords stood aloof; but the Landowners' Convention, although not expressing definite approval of a conference, recorded an opinion in favour of a settlement. Other landowners supported the proposal; while an unofficial poll showed considerable feeling for the conference. The Chief Secretary, too, spoke of it as "a step in the right direction," explaining that Government action was necessarily limited to providing facilities, so far as might be possible, for giving effect to any settlement that might be arrived at.<sup>1</sup> The Nationalists at first showed no sign of relaxing their campaign against the landowners; but later more peaceful counsels prevailed, and at a meeting of the Party the desirability of a conference was agreed to. On December 20 the Land Conference became an accomplished fact, meeting that day for the first time at the Mansion House, Dublin. Representing the landlords were Lord Dunraven (chairman), Lord Mayo, Colonel W. H. Hutcheson Poë, and Colonel Nugent Everard; representing the tenants were Mr. John Redmond, M.P., Mr. W. O'Brien, M.P., Mr. T. W. Russell, M.P., and Mr. T. C. Harrington, M.P. The conference sat with closed doors, and within a fortnight had unanimously agreed to a report, which was issued on January 3, 1903.<sup>2</sup> It insisted on the

<sup>1</sup> Statement in daily papers, September 5, 1902.

<sup>2</sup> Reprinted as House of Commons Paper, No. 89 of 1903.

expediency of settling the land question upon a basis mutually satisfactory to owners and occupiers, and expressed the view that an unexampled opportunity was afforded of settling the dispute. It stated that the only satisfactory solution was by the substitution of an occupying proprietary in lieu of the existing system of dual ownership, and it proceeded to outline a scheme upon this principle. Compulsory sale was not mentioned, but, in the light of subsequent events, many of the somewhat optimistic opinions expressed in the report read to-day with a touch of irony. The report, however, met with general acceptance. The Landowners Convention were not dissatisfied with the conclusions arrived at ; and the unique coalition of Irish landowners and Irish tenants rendered Mr. Wyndham's task of passing a Land Bill through Parliament all the easier. So, too, the improved condition of Ireland and consequent relaxation of severer methods of administration added considerably to the prevalent good understanding. The Bill of 1903, introduced on March 25, met with acceptance, and was but little opposed, even on the Committee stage. The contrast between its reception and that afforded to previous Land Bills and, as time was to show, also to future measures, will be remarked. Its favourable treatment arose not only through the preliminary agreement that had been come to, but was also to be found in the broad and generous principles underlying the scheme. From the restrictions and points for litigation which had afflicted other Land Acts the Bill of 1903 was believed to be free. Whereas previous schemes had offered no more than purchase for a limited number of tenants, Mr. Wyndham's Bill aimed at effecting a complete settlement on those lines. No limited amount of money was set aside for advances ; but it was estimated that £100,000,000 would be required to

finance the measure. The problem was to offer sufficient inducements to the landlord to sell and to the tenant to buy, while, at the same time, not placing too great a burden on the British Exchequer. There were three interests to meet, So far as the landlords alone were concerned, they were to be paid in cash and not in stock; and as a further encouragement, especially to "limited" owners and life tenants, and as compensation for incidental losses on the sale, the owner was to receive for his own use a cash bonus of 12 per cent. on the purchase money, to be paid out of the Land Purchase Aid Fund.

The advantage to the tenant lay in the reduction of the purchase annuity from 4 per cent. under previous Acts to  $3\frac{1}{4}$  per cent., of which  $\frac{1}{2}$  per cent. formed the sinking fund, and  $2\frac{3}{4}$  per cent. represented interest. Repayment was consequently extended from forty-nine to sixty-eight and a half years. Other provisions, especially those which simplified the proving of title, aimed at facilitating the operation of the Act, and were advantageous to both landlord and tenant. Tenants were not dealt with individually, and the owner sold not a farm here and a farm there, but the whole estate or such unit as the Commissioners agreed to deal with, and the tenants acted in a body. Already judicial rents had been fixed on a large number of estates, and the Act took advantage of this to simplify the procedure. Where the purchase annuity showed a substantial reduction on the judicially fixed "fair rent," so that it came within the "zones,"<sup>1</sup> the agreed price was taken as equitable, and the holding as offering security for the advance

<sup>1</sup> Under the Irish Land Act of 1903 (Section 1) holdings are said to be sold within the zones when they are subject to a judicial rent, and the purchase annuity payable in respect of the advance—  
(a) In the case of the purchase of a holding subject to a judicial rent fixed or agreed to since the passing of the Act of 1896 is not



without need of inspection, and without the uncertainty that when owner and tenant had come to an agreement the Commissioners might decline to advance the money. On the part of the British people there was a gift of the £12,000,000, which formed the "bonus," for which they had the prospect of finally settling the Irish land question.

The administration of the Act was entrusted to three Estates Commissioners, and the financial part to the Treasury. To the Estates Commissioners were also given powers of purchase, and of subsequent re-sale to tenants; also they were entrusted with powers for dealing with untenanted land, creating new holdings, enlarging holdings, and reinstating evicted tenants.

There was no doubt as to the popularity of the measure. Landlords agreed to sell and tenants to purchase in such numbers that the Estates Commissioners were overwhelmed. In less than a year after its passing sales had been agreed to which required fifteen millions of cash. As the Treasury only intended to raise £5,000,000 a year, and the Land Commission staff was not increased to an extent which enabled it to handle more, there was little prospect of the block being removed. As a matter of fact, it steadily increased, until in March 1909, when Mr. Birrell's Land Bill was read a second time, there were £56,000,000 worth of agreements at the Estates Commissioners' awaiting the money to complete the transaction. There is little wonder that the situation caused discontent. While a transaction was hung up the landlord received interest on the purchase money which in no way

less than 10 nor more than 30 per cent. below the existing rent. (second-term rents); (b) In the case of the purchase of a holding subject to a judicial rent fixed or agreed to before that date is not less than 20 nor more than 40 per cent. below the existing rent (first-term rents). The reason for the greater reduction in the case of "first-term rents" was that "second-term rents" were considerably lower than those fixed before 1896.

represented his rents ; at the same time he had no capital wherewith to pay off mortgages and other charges, the rate of interest on which often exceeded the rate he received on his purchase money. The tenant, on the other hand, paid interest at a higher rate than his annuity, and until the sale was carried through the terminable annuity did not begin. Every month of delay postponed the time when he would be able to claim the entire ownership of his holding. The case as so far stated merely required additional staff and more money to remove the grievance. It was here where the real difficulty occurred. The finance of the Act had been calculated on the basis that Land Stock would never be less than 95. Even that would mean a loss, since the Treasury wanted £100 of cash for every £100 of stock ; but a Guarantee Fund<sup>1</sup> was provided, which it was hoped would meet any losses, which were expected to be small, of that nature.

The "Guarantee Fund" was originally established under the Land Act of 1891 to meet any insufficiency of funds in the Land Purchase Account to pay the interest and sinking fund on the Land Stock. By the Land Act, 1903, the Guarantee Fund was utilised to provide for charges incidental to the working of the Land Purchase Fund (Incidental charges),

<sup>1</sup> Incidental losses were nothing compared with the loss sustained by excess stock, and would appear to be inevitable when advances at  $2\frac{3}{4}$  per cent. interest were provided for by the public issue of stock bearing the same rate of interest, and no margin was allowed between the rate of interest payable and the rate of interest receivable to cover them. Incidental charges are of a technical character, and are as follows :

1. Arrears of payment of purchase annuities.
2. Unearned or bonus dividend.
3. Advance dividend.
4. Interest accrued but not received.
5. Unproductive balances.

For a detailed explanation see *Parl. Deb.*, April 22, 1907, vol. 172, col. 1374.

and for discount on stock when issued below par (Excess Stock). The Fund was reconstituted to meet the additional requirements, and was divided into the cash portion and the contingent portion. The cash portion was composed of

	£
(1) Ireland Development Grant. The grant amounts to £185,000; but there are charges on it amounting to £25,000 a year, leaving . . .	160,000
(2) Death Duty Grant. Under Finance Act, 1894, Section 19, about . . .	284,000
(3) Agricultural Grant. Under Local Government Act, 1898, about . . .	727,000
(4) Exchequer Contribution. Paid from Consolidated Fund to Local Taxation (Ireland) Account . . .	40,000
	<u>1,211,000</u>

The contingent portion was made up of Customs and Excise Duties paid (*a*) to the Department of Agriculture, (*b*) for intermediate education; contribution in lieu of rates on Government property; grant for Model and National Schools; grant for Industrial Schools; payments under Local Government (Ireland) Act, 1898, to Irish Local Taxation Account; grant to Department of Agriculture of £70,000 out of Church Temporalities Fund.

The contingent portion could not be drawn upon until the cash portion had been exhausted, and a levy on the several counties had failed to produce the amount required to make good the deficiency. In respect of incidental charges the first call was on the Death Duty Grant and Agricultural Grant; in respect of excess stock the first call was on the Development Grant.

Owing to the state of the money market the

Treasury, far from being able to issue land stock at par, never succeeded in getting on the average more than  $\pounds 88\frac{5}{18}$  cash for every  $\pounds 100$  of stock. To raise  $\pounds 100$  in cash  $\pounds 113\frac{1}{4}$  of stock was required. The tenant purchaser, however, only paid interest and sinking fund on the  $\pounds 100$  cash the landlord received. The  $\pounds 13\frac{1}{4}$  was "excess stock," and became a charge on the Guarantee Fund. In the first instance the charge fell upon that item of the fund known as the Development Grant, and this, amounting to  $\pounds 160,000$ , would have been exhausted by the charge during 1909. The difference was then to be made up out of the Local Taxation Grants which go to the relief of the rates, so that in the end the loss would fall on the Irish ratepayers. Mr. Birrell estimated the amount which, as the law then stood, would fall on the Irish ratepayers at  $\pounds 855,000$ .<sup>1</sup> Under such circumstances it was hardly likely that the Treasury would show a passionate desire to increase the Land Commission staff and raise large quantities of stock to work off the block. The whole subject was investigated by a departmental committee in 1908 under the chairmanship of Mr. Runciman, then Secretary to the Treasury,<sup>2</sup> and upon their recommendations Mr. Birrell, the Chief Secretary, based his financial proposals.

It should not, however, be supposed that opposition was entirely wanting to the Land Act itself. Mention has already been made that the attitude of Irish Nationalists towards agrarian reform was not dictated wholly with the desire to arrive at settlement, but was also regarded as a useful auxiliary in the agitation for Home Rule.<sup>3</sup> Although representatives of the Nationalist Party had approved the Land Conference Report and offered no serious opposition to the Act of 1903, a powerful section

<sup>1</sup> *Parl. Deb.*, March 30, 1909, vol. 3, col. 194.

<sup>2</sup> Report, Cd. 4005 of 1908.

<sup>3</sup> Chapter IX., p. 185.



were by no means pleased with the popularity of the Wyndham measure.

The National Directory approved the Act,<sup>1</sup> but their leaders were soon divided. Mr. Dillon, Mr. Davitt, and Mr. Sexton in the *Freeman's Journal*, always opposed to the findings of the Conference, set out to render its provisions inoperative. The particular point upon which the attack was founded was the price to be paid to the landlord. The malcontents suggested eighteen years' purchase, their opponents twenty-three. The latter indeed, not without an excuse, alleged that the estate in which Mr. Redmond was interested sold for twenty-four and a half years' purchase. The tenants, for the most part, as the records show, remained profoundly indifferent to these disputes, and made their own agreements. Before the end of the year Mr. William O'Brien retired from politics, disgusted with the treachery of his colleagues, and the Land Act was deprived of the active support of one of its most influential Nationalist advocates. The field being left open to the irreconcilables, the fight against its provisions went forward rapidly, Mr. Dillon being the leading spirit in the revolt.<sup>2</sup> It was continued over the following years, and gradually permeated Nationalist feelings, until there was little in their attitude to recall the fact that they, as much as the landowners, were parties to the settlement.

<sup>1</sup> Meeting, September 8, 1903.

<sup>2</sup> Mr. Dillon's opinion may be best gained from his speech at Swinford on September 10, 1906: "Attempts have been made from time to time to throw the blame on Michael Davitt, the *Freeman's Journal*, and myself, and it has been said that we have delayed the reinstatement of the evicted tenants and obstructed the smooth working of the Act. I wish to heaven we had the power to obstruct the smooth working of the Act more than we did. It has worked too smoothly—far too smoothly to my mind. . . . Some men have complained with the past year that the Land Act was not working fast enough. For my part I look upon it as working a great deal too fast, and at a pace which has been ruinous to the people."

Later Mr. W. O'Brien emerged from retirement to subject his former colleagues to fierce flank assaults and, with his erstwhile opponent, Mr. T. Healy, M.P., to oppose the Birrell Land Bill. With what result it is impossible to say, as the consequences of their campaign are still in the process of development. Official Nationalists, not content with opposition alone, put forward a definite programme of compulsory sale, the abolition of the zones, the extension of the powers and area of the Congested Districts Board,<sup>1</sup> and the acquisition of "untenanted" land.<sup>2</sup> It required some audacity to advocate "compulsion" when the rush and not the paucity of sales had brought land purchase into difficulty. Even so, however, Mr. Birrell was prepared to acquiesce in the demand. Perhaps his justification for "compulsion" was the "cantankerous" landlord who refused to sell upon any terms; but the Nationalist idea was to secure recognition of the principle for which they had been striving. Its extension would be easy; and it was held out to the tenants as a sure method of buying at lower prices. The "zones" too were condemned, on the ground that they induced tenants to enter into improvident bargains at high prices. But it would probably not be far wrong to assert that the real objection the Nationalist leaders had to the "zones" was their automatic principle, which to a considerable extent prevented delay, obstruction, and the interference of outsiders between landlord and tenant. Apart from the fact that the proportion of

<sup>1</sup> See Chapter XI., p. 233.

<sup>2</sup> Land in the owner's own occupation, and land let on the "eleven months system"—so called because no tenancy is created. Those who take the land on the eleven months system are not thus possessed of power to obtain a judicial rent or to purchase their holdings under the Land Acts. Land let for grazing is usually held on these terms, and the policy of "cattle driving" is directed against the untenanted lands,

tenants failing to pay annuities was small—in itself strong evidence against the charge—the opponents of the Act failed completely to prove that the landlords were receiving excessive prices. Mr. John Redmond's "headline" to the landowners has already been mentioned. Figures comparing the number of years' purchase under the Act of 1903 and previous Acts are remarkably unconvincing. The reduction of the annuity interest, the operation of the Land Courts in reducing rents, the rise in agricultural prices, the nature of the estates sold, and the position of the vendor, made true comparison impossible. The Irish farmer is a shrewd hand at a bargain, and there is no reason to believe that if the landowners were demanding excessive prices, the tenants would have shown the disposition to purchase which they did. The cry of "high prices" is the usual and obvious policy of the Nationalists who oppose land purchase. No one pays much attention to it; indeed, the facility with which its authors shift their ground when occasion requires is good reason for ignoring the charge. If sales are frequent, the landlord is demanding excessive prices; if land purchase dwindles away, then the landlord is holding back for a rise in prices. It is always the landlord who is to blame, according to these gentlemen; other causes never have any influence on the question. Such an attitude destroys whatever weight might otherwise be given to their accusations.

Perhaps, however, the most serious blow that the settlement of the Land Conference received was the rise of a demand that the "untenanted" grazing lands should be broken up and divided amongst the "landless" men. The agitation not only took the usual illegal forms of boycotting and intimidation, but a more novel shape was given to it by driving the cattle from the grazing farms—not always without cruelty. The agitation began in October

1906,<sup>1</sup> and continued unabated until Mr. Birrell introduced his Land Bill. The Government declined to take adequate measures to suppress the outbreak. Indeed, it would not be untrue to say that they were inclined to palliate the offence.<sup>2</sup> The excuse put forward by the agitators was the provision of Section 8 of the Act of 1903, under which the Estates Commissioners might purchase any untenanted land which they considered necessary for the purpose of facilitating the re-sale or redistribution of estates purchased or proposed to be purchased by them. The agitation was directed to making this optional clause compulsory in effect. Cattle driving and other lawless methods were employed to intimidate the graziers into refusing to take the land, until the owner, finding his income lost through the impossibility of letting the land, would for financial reasons agree to sell. This lawless compulsion, if owners proved obdurate, was to be followed in the new Land Bill, so the agitators stated, by legal provisions for compulsory sale.

Mention should also be made of the fact that the landowners had a direct grievance. The elaborate instructions issued to the inspectors in 1906 contained requirements which recalled the system previously condemned by the Fry Commission.<sup>3</sup> Delays were occasioned, and negotiations of a protracted nature required by the demands of the Estates Commissioners in the case of many sales. These

<sup>1</sup> Mr. Ginnell, M.P., claims to have originated it in a speech on October 14, 1906, at "The Downs," in Co. Westmeath—hence the name sometimes given to it "the Downs policy."

<sup>2</sup> Mr. T. W. Russell, for instance, spoke of cattle driving as a "comparatively harmless process" (Manchester, October 14, 1907) and Lord Denman declared that "the driving of cattle cannot, of itself, be considered a crime of a very serious nature" (House of Lords, June 4, 1907). Regarded solely from the point of view of lawlessness, see Chapter VIII., pp. 153-8.

<sup>3</sup> See Chapter IX., p. 192.



proceedings, it was contended, were entirely contrary to the spirit and intentions of the Act of 1903; and the friction which arose was not allayed by a vigorous disagreement between the Estates Commissioners themselves, as to their attitude.<sup>1</sup>

Such was the position when Mr. Birrell came to introduce his Land Bill. Not only did he deal with the financial deadlock, but his measure was devoted to a general amendment and reconsideration of the law of land purchase. Circumstances compelled him to legislate on finance. His entrance into the wider field was purely optional. The measure first saw the light at the fag end of the Session of 1908: it was, however, purely a demonstration to save Mr. Redmond's face—he having spoken of the “coming” Land Bill for the previous two years. Substantially the same Bill was brought in during the early part of the next Session; and, under a guillotine motion which prevented anything like proper discussion, it was forced through the House of Commons. How it was regarded by one who could not be called “a landlord's man,” and was moreover an intense and earnest believer in land purchase, could be gathered from the fact that Lord Dunraven, the Chairman of the Land Conference, moved rejection of the measure in the House of Lords. It is not difficult to understand the disappointment of those who hoped for great things in the future from the understanding of 1903. Far from attempting to encourage an agreement between landlords and tenants, Mr. Birrell had time and again showed that in his opinion the former were beyond the pale of Ministerial consideration. When the Land Bill came on he definitely allied himself to those Nationalist politicians who had but a short time before wrecked his Irish Council Bill and, so far as some of them were concerned, had done their best to kill the Land Act of 1903. From an alliance

<sup>1</sup> *Annual Report*, Cd. 3148 of 1906.

of this nature there was little hope for the continuance of land purchase.

So far as finance was concerned Mr. Birrell adopted for future agreements the simple expedient of prohibiting payment in cash and reverting to the old system of paying the landowner in stock. Cash payments were one of the inducements to sell under the Act of 1903, since the landlord could not only estimate the exact amount he would receive, but was enabled to pay off mortgages and fixed charges, without having first to convert his stock into cash. He is now to receive 3 per cent. stock at its nominal value. All the old obstacles to purchase are revived, and with additional force, since there is no reason to believe that the market price of the stock will not be under its face value. The tenant purchaser's burden took the shape of an increase in his annuity from £3 5s. to £3 10s. per cent.—a possible source of discontent, inasmuch as two unequal standards of purchase annuities are created. Pending arrangements could not be touched, but the vendor who wanted his money was encouraged to take it half in stock and half in cash, or wholly in stock. As the pending agreements amounted to over £51,000,000, and the total amount of cash available each year to work them off was not to exceed £5,000,000, the prospect of a vendor far down on the list receiving his money within a reasonable time was uncertain. Indeed, the position of the vendor who insisted on his bargain was made worse by the action of the Government in assigning half the total amount of cash to those who were willing to take half cash and half stock. Of the "bonus" of £12,000,000 under the Act of 1903 £3,000,000 remained for future agreements. To this Mr. Birrell added another £3,000,000; but at the same time he entirely changed its original intention by placing it on a sliding scale in diminishing proportion to the number of years' purchase the landlord obtained.

In fact, instead of being an aid to the sale of estates, it was made part of the terms of purchase.

Had Mr. Birrell stayed his hand with these provisions, he could not at the least have been charged with wilfully upsetting the settlement of 1903. But he went on to amend the constitution and increase the powers of the Congested Districts Board in a manner which showed a complete indifference to the opinion of authorities,<sup>1</sup> and generally to make such changes in the law of land purchase as were demanded by the Nationalists.

The operation of the "zones" system was checked by giving the Land Commission power to intervene in such sales whenever it seemed good to them to do so. The demands of the cattle drivers were met by a clause which enabled the Land Commission to re-sell holdings to tenants or owners of holdings not exceeding £10 rateable value; to the sons of tenants or owners in the neighbourhood or on the estate where the holding did not exceed £30 rateable value; and finally to any person whom the Land Commission thought fit. Mr. Birrell's usual humour was apparent in the provision which gave the Estates Commissioners powers of compulsory purchase whenever the negotiations between landlord and tenant failed to result in an agreement. Compulsion, it need hardly be pointed out, is resorted to when the voluntary principle fails. With over £50,000,000 of agreements awaiting the money to enable them to be completed it could hardly be alleged that the voluntary system had broken down. Further humour was to be found in the provisions which made the Estates Commissioners' first action under the compulsory clauses their "final offer"; and in the fact that for many years they would have little, if any, cash to devote to compulsory purchase. The provisions were entirely unnecessary, and, so far as their working was concerned, would have been farcical.

<sup>1</sup> The problem of congestion is dealt with in Chapter XI., pp. 231-7.

But they would have given the Nationalist Party an excellent excuse for agitation, and would certainly have effectively prevented the smooth operation of land purchase. Facts were, however, too strong, and, much to the annoyance of the Nationalists, Mr. Birrell had to abandon his plan of giving the Estates Commissioners general powers of compulsory purchase. The compulsory principle was agreed to, but only in respect of untenanted land and congested estates, and then not until amendments had been made in the direction of securing that the necessity for resorting to compulsion and the suitability of the land should be proved; and that a judicial tribunal should, if necessary, fix the fair price of land to be acquired. Other changes in the Bill before it became law were the dropping of all amendments to the "zone" system: the removal of many of the provisions which gave the "cattle drivers" power to get land to the disadvantage of "congests" and others whose holdings required enlargement.

Instead of agreeing to the measure, even as amended, it was of course open to the House of Lords to reject the Bill outright. Surprise may be felt that that course was not taken. The Nationalists were quite prepared, if such decisive action were taken, to make it the excuse for renewed agitation.<sup>1</sup> If it had come to pass, Mr. Birrell would certainly have disclaimed responsibility; and it is not difficult to imagine how he would have improved the occasion by the exercise of his wit at the landowners' expense. The truth was that the Government had the pull over the Opposition. Something had to be done unless the perfectly impossible burden of land purchase losses was to be placed on the backs of the Irish ratepayers. The Government could insist

<sup>1</sup> Mr. Dillon, M.P., at Thurles: "If the House of Lords throw out this Bill, or mutilate it, then we will cry havoc and let loose the dogs of war."—*Nenagh News*, April 24, 1909.



on the whole Bill or nothing, and the Opposition, however much they regretted the provisions of the measure, could not regard with equanimity the result of its abandonment. Let no one think that land purchase is a closed question. Far from being so, it carries much uncertainty. Two purchasers side by side, one paying a higher rate of annuity than the other, will be as little likely to make for contentment as was the case when one was a purchaser and the other still a tenant. So too the fact that the Act has had the effect of killing land purchase<sup>1</sup> will lead to a renewed demand for compulsion. These are only two possible sources of trouble. Irish Nationalist leaders are endeavouring to influence the opinion of purchasers by persuading them that they have bought at too high a price, and tenants who have not yet purchased are told that they have but to wait a few years before the remaining landowners will be compulsorily expropriated at much lower prices. It is a desperate attempt to recover their former influence over the farmers; and indicates that the problem is still far from settled.<sup>2</sup> This fact, however, should always be borne in mind, that the measure under which land purchase moved quietly and with little friction, which in the opinion of impartial critics has changed the face of large parts of the country,<sup>3</sup> was a *Unionist Act*; and that the Act which killed land purchase was a *Nationalist*

<sup>1</sup> A table issued by the Landowners' Convention shows, as regards "direct sales" (i.e. sales between landlord and tenant without the intervention of the Commissioners), which represented four-fifths of the applications under the Act of 1903, the number of applications under the Act of 1909 between December 3, 1909, and June 30, 1910, was 352, and the amount involved £106,979. Under the Act of 1903, between October 3, 1904, and October 31, 1909, the number of applications was 217,219, and the amount of the agreements £73,642,689.

<sup>2</sup> "If the people stand firm and organised, and support the Party, we will amend that Act (of 1909) until we make it a perfect Act."  
—Mr. Dillon at Westport, December 11, 1910.

<sup>3</sup> See Chapter XI., pp. 221-2.

*Act*, for Mr. Birrell was little more than an agent in the matter. If turmoil arises in the future, let the responsibility be placed on the right shoulders. The problem is one in which the whole of the United Kingdom has an interest. The Imperial Exchequer has made a free grant of £17,000,000 towards furthering land purchase; moreover to that end it has expressed its willingness to pledge its credit to the amount of £183,000,000, of which over £35,000,000 has already been raised. The Imperial Exchequer looks to the Irish tenant purchaser for the interest and sinking fund on that loan. So far not in vain;<sup>1</sup> but if the tenant purchaser believes he has made a bad bargain, and the agitators advise him to refrain from paying his instalments—and seeing that they did institute a wholesale campaign against paying rent in 1886, the idea is not impossible if a desperate move is necessary to restore their waning influence—the outlook will be black indeed.

<sup>1</sup> The amount receivable for annuities under the Act of 1903 on December 1, 1909, was £951,338 from 76,048 persons. By July 1, 1910, only £4,588 was outstanding from 587 persons.—*Report of Land Commission*, 1909-10, Cd. 5321 of 1910, p. 9.

## CHAPTER XI

### THE BRIGHTER SIDE

ONE of the official Nationalist arguments for Home Rule is that the present system of Irish government is incapable of satisfactorily promoting the material and intellectual progress of the people. This opinion carries with it, of course, the promise that under Home Rule the Irish people would be prosperous and contented. Such promises are easily made, but less easily carried out. The prosperity of a country depends not on the adoption of any particular system of government: be it ever so excellent and ever so careful in educating its citizens and looking after their commercial, industrial, and agricultural interests, national progress and prosperity depend on the initiative and energy of the people themselves. To suggest that Home Rule will change Ireland into a rich country raises no more than a smile among thinking people, but among the credulous and easily led it raises false hopes and promises. Nothing is more certain than the disastrous effect of Home Rule on Irish credit. During the fortnight that followed the introduction of the Home Rule Bill of 1893 the stock of the Bank of Ireland, the Ulster Bank, Guinness's Brewery, and the leading Irish railways, fell in value over £1,800,000;<sup>1</sup> and, as showing also the feeling of insecurity which Home Rule raised even in the minds of those with

<sup>1</sup> Speech of Sir J. Haslett at Belfast, February 28, 1893.

small savings, the Post Office and Trustee Savings Banks showed for 1893 a falling off in deposits of £13,000 in place of the usual increase, which the year afterwards was over £600,000.

The position of Ireland under a Home Rule scheme so far as it relates to national income and expenditure has already been discussed,<sup>1</sup> and the inevitable conclusion was reached that it would mean increased taxation and less opportunity of raising loans to finance public undertakings. Apart, then, entirely from the feeling of insecurity which the predominance of the Irish Nationalist Party would cause to merchants, manufacturers, and capitalists, who, for the most part, are the political opponents of the Home Rule Party, the result of Home Rule, with increased taxation and other financial disadvantages, would tend to check industrial development, if not to drive to Great Britain undertakings already established in Ireland. So far, then, the evidence is all against Home Rule bringing prosperity to Ireland. If it did not fulfil the fair promises of the Irish Nationalist leaders, the people would doubtless be resentful; but the Nationalist politicians would be less resourceful than usual if they did not point to the connection still existing between Great Britain and Ireland, and demand how the country could expect to be progressive so long as any link existed with the Saxon. The discontent would be turned from themselves to a renewed agitation for a complete scheme of independence. This, it is believed, is the likely result of the Liberal policy of constitutional change. It would create unrest and retard all national progress. The picture has been drawn to afford a comparison with the Unionist policy of developing Ireland as an integral part of the United Kingdom.

On Nationalist platforms one argument for Home

<sup>1</sup> See Chapter III.



Rule is always Ireland's loss of population. As they do everything which is not to Ireland's betterment, so Home Rulers attribute Irish emigration to the Union; but the assertion becomes hard to prove in face of the fact that for forty years after the Union the population of Ireland increased. Emigration there was without doubt, just as there always is emigration from old to new countries. It was not at that period so extensive as to counterbalance the growth of population. All the estimates of Ireland's inhabitants up to the census of 1841 show increases: it is the census of 1851 which first records a decline—a fact which at any rate entitles one to regard the famine of 1847 as responsible for the beginning of Irish emigration, and to see in bad harvests and declining agricultural prices a compelling reason for Irish men and women to seek their fortunes abroad. Once begun, emigration has never ceased; but it does show a remarkable falling off in almost every decennial period since 1851. Between 1851 and 1860 the number of emigrants was 1,163,418; 1861-70, 849,836; 1871-80, 623,933; 1881-90, 770,706; 1891-1900, 433,526; 1901-9, 313,567. These figures, it should be noticed, include Irish settling in Great Britain, a movement of population which Unionists will hardly feel inclined to admit as emigration. By far the larger number of Irish emigrants go, however, to the United States; and it is also to be expected, though regretted, that the greater proportion of the emigrants are men and women in the prime of life. It is not to be supposed that there is a single Unionist, however strong an opponent of Home Rule he may be, who does not regret Irish emigration, and is not prepared to agree to any legitimate steps being taken to check it. For not only is every Irishman and Irishwoman who crosses the ocean a loss to the United Kingdom, but the preference they have

for settling for the most part in a foreign country instead of in one of the British dominions means a reduction of the strength of the Empire. If a man must leave the United Kingdom, it is better for the Empire that he should settle in Canada, Australia, or South Africa, rather than in a foreign country, such as the United States.

Although there can be no questioning the fact of such excessive emigration, there is want of agreement as to its causes. It is attributed to a variety of reasons; and perhaps the real factor lies not in any one of them, but in a combination of circumstances. The officially-opinioned Nationalist blames the Union; the Protestant<sup>1</sup> and anti-clerical<sup>2</sup> make the Roman Catholic Church responsible. But are there not other causes? May it not be that emigration produces emigration? With relations and friends across the sea, is there not an inducement for the ones at home to follow? The drawback of being a stranger in a strange land is removed, and the prospect of a welcome and assistance from friends, though far from the old home, makes the change less formidable. Then, too, emigration is organised, and fares are low. Steamship companies have to obtain business if they are to be successful, and they would be more than human if they did not encourage a belief in emigration. Their agents are spread throughout Ireland; their advertisements appear in every local paper. It does, however, come rather as a shock to find Irish Nationalists acting as emigration agents. To encourage emigration in a business capacity and, as a politician, to attribute it, not to the success of one's powers as an agent, but to the

<sup>1</sup> "The priests control not only the worship but the life of the people. They have it all their own way. If the Irish peasant desires freedom, he emigrates to America."—Dr. Horton, *Shall Rome Reconquer England?* p. 53. (Published by the National Council of Evangelical Free Churches.)

<sup>2</sup> "Pat," *Economics for Irishmen*, p. 154.

lack of a Parliament on College Green, displays a remarkable inconsistency. In examining the question of Irish emigration it should not be forgotten that Ireland is in the main an agricultural country. Nearly 850,000 of her people are engaged in that industry. Depopulation is an unpleasant feature of rural life, and is not confined to Ireland. In Great Britain, as in Ireland, a decrease of the agricultural population has to be recorded.<sup>1</sup> It is not therefore surprising to find a similar exodus from agricultural districts in Ireland. Of English villages it is said that only the very young and the old remain; youth and manhood depart to the big industrial cities and towns. The same is said of Ireland, with this difference—that there are practically no manufacturing centres, with the exception of Belfast, with expanding trade and an increasing demand for workmen. The young Irishman who finds no scope or opening for his energy at home has to leave the country before opportunities present themselves of gratifying his ambitions. The necessity imposed upon the sons of farmers to seek work elsewhere arises also from the smallness of the holdings.<sup>2</sup> While these uneconomic conditions in the congested districts have long made emigration the only hope for the sons and daughters of the small holder, the position is little less relaxed for the better-class farmer. He too has to find occupations for his family. The eldest son will succeed to the farm in due course. Sufficient money may be raised to find a dowry and a husband for the eldest daughter. For the rest, they must go out into the world, the daughters to earn their dowries and the sons to earn a living, and maybe to save sufficient to get a farm.

<sup>1</sup> See *Report by Board of Agriculture on the Decline in the Agricultural Population of Great Britain*, Cd. 3273 of 1906.

<sup>2</sup> There are 490,000 holdings in Ireland, and 275,000 are valued in the Poor Law valuation at less than £10 annual value.

With the old ties broken, and new ones formed in a strange land, is it very surprising that they do not always return, but settle down in the new country and make their homes, and so are lost to Ireland?<sup>1</sup>

Out of her many causes inducing emigration it is difficult to fix upon one compelling reason. Some will emigrate from one cause, some from another, and that will always be so. While it is not possible entirely to stop emigration, at least it should not be impossible to reduce it to a normal quantity.<sup>2</sup> Men's minds have been directed towards improving the economic conditions of the country; and the "patriotic" Members of Parliament whose policy it has been to disparage their own land, and sing the praises of opportunities and liberty in the United States, are not allowed to give expression to such views uncontradicted. Many priests are discouraging emigration, and are describing to their parishioners the real conditions of life and work in the States. It must also be placed to the credit of "Sinn Fein" that a belief in the future of their country and opposition to emigration form items in

<sup>1</sup> "The reason they emigrate is because, as I once heard a great statesman say in the House of Commons, small Irish farmers are in the habit of having large families. Having fifteen acres of land, and with seven or eight strong sons, would you ask Irish farmers to do, as was done in the past, split their farms into seven or eight parts and plant a son with one acre apiece and with a miserable starving family?"—Mr. Dillon, M.P., at Blackrock, October 11, 1910.

<sup>2</sup> "It is a mistake to suppose that the breaking up of grass lands and the increase of agricultural holdings is going to stop either migration or emigration. Men will still have to go to England, Scotland, and Wales to earn a subsistence, and the overflow of population will still have to seek a means of livelihood abroad. . . . A purely agricultural country cannot indefinitely increase its population as can an industrial. Its possibilities are limited by the land, and then, unless other industries come, the surplus population must go."—*Dudley Commission, Appendix to Third Report, Cd. 3414, The Problem of Agricultural Congestion in the West of Ireland*, by Mr. Commissioner Bailey, p. 335.



their programme. Not only is the State, but Irishmen of all creeds and classes are actively engaged in furthering schemes for developing the country. Of the improved conditions there is ample testimony from unexpected quarters.

Captain Condon, the well-known Fenian of the past generation, at the invitation of Mr. Redmond, paid a visit to Ireland in 1909 after a long absence. In a speech at Kilkenny on October 3 he said that "he was invited to look over Ireland and see what improvements had been effected, and he had seen many of them. He had seen the farmers lifted from the condition of slaves and serfs to be the owners of the property. He had seen the labourers put in possession of neat and comfortable cottages, which they had never enjoyed before. When men came back to them in the United States, after making a tour of Ireland, they said, 'How poor your people in the rural districts are!' Now they could ask them to look over the country and see the vast improvements that had been effected, when over 40,000 labourers' cottages, neat and satisfactory, had been built. He said that as a result of this work the population of Ireland had increased the last year, which it never did before for fifty years. He saw, too, thousands of instances where evicted tenants had been restored to their homes."<sup>1</sup>

Another well-known American supporter of Home Rule, Dr. Timmins, in the autumn of 1910 paid a visit to Ireland. On his departure he gave an interview to a representative of the *Cork Examiner*, in the course of which he said: "I feel safe in declaring that, considering the depths from which Ireland has arisen since the establishment of the Land League, no other country on earth has equalled her in the betterment of conditions. Nor, I may add, is this my individual view. I have been to every province in Ireland, on this, as on my

<sup>1</sup> *Freeman's Journal*, October 4, 1909.

former visits, and I have talked with no one on the subject who was not free to admit that there was no comparison between the present state of the country and that of thirty years ago."<sup>1</sup>

Even more comprehensive was the description of the "new" Ireland which Mr. Redmond himself gave to an American audience at Detroit on October 26, 1910. He said: "I desire to put before you, in plain businesslike language, what the last ten years has accomplished for Ireland. . . . Over one-half of Ireland the tillers of the soil are absolute owners. . . . In a few short years the whole of the land of Ireland will be free once and for ever of landlordism. . . . A few short years, and the land question in Ireland, that fruitful source of poverty, starvation, misery, bloodshed, and crime, will have absolutely passed away. And, with the passing away of that system, will have passed the chief cause which kept the Irish people, not only poverty-stricken, but enslaved. . . . There is a class of people in Ireland perhaps more deserving of the sympathy and respect of the Irish race even than the tenant farmers. I mean the agricultural labourers. . . . They still continue living in those miserable mud hovels which have been the reproach of Ireland. . . . Well, thank God, in the last two years we have put an end to that reproach. Within the last six years we have obtained 30,000,000 dollars from the British Exchequer to remove these wretched hovels and to erect in their places decent, sanitary habitations for the labourers of Ireland. . . . No settlement of the land question would be accepted by Ireland which did not include a restoration of these people (the evicted tenants) to their own homes. Three thousand of these families have within the last few years been restored to their homes—not merely restored to their homes, but their houses that had been broken down by the crowbar

<sup>1</sup> *Cork Examiner*, September 6, 1910.

brigade have been rebuilt for them by money obtained, not as a loan, but as a free grant from the British Exchequer. Their farms have been restored, they have been given new farm implements, and they have gone back to the land from which they were evicted twenty years ago, not as tenants, but as absolute owners of the soil. . . . To-day, the school-houses are decent, sanitary buildings, heated and cleaned by money which we obtained for that purpose from the British Exchequer. The teachers, although they are not paid as much as the teachers in England, still have had their position enormously improved. . . . The secondary schools in Ireland—what would be called, I think, here your high schools—are to-day for the first time being well supported. Large monetary assistance is being given to them. And, greatest perhaps of all, for the first time for centuries, the blessings of facilities for higher education have been extended to the masses of the Irish people. . . . There was created in Ireland, for the benefit of the great majority of people of that great country, a great Free National University.”<sup>1</sup>

The quotation is a long one, but so far as Unionists are concerned it is certainly not too long. It is an absolute justification of their Irish policy and a proof that it has succeeded. More detailed consideration of this policy, which has gained Mr. Redmond's enthusiastic approval, fully bears out his opinion that excellent results have been reached for Ireland. House accommodation, for instance, is a test of the condition of the people. The following figures from the Census returns

<sup>1</sup> *Irish World*, November 5, 1910. A full account of the “new” Ireland is given on pp. 103-84 of Hugh Sutherland's *Ireland Yesterday and To-day*. The writer is an associate editor of the *North American* of Philadelphia, and is in sympathy with the Home Rule movement. There is an introduction by Mr. Redmond, and the book has been extensively circulated by the United Irish League of America as a reliable exposition of Irish conditions.

show how great is the improvement affecting housing in recent years :

CLASS OF HOUSE.	NUMBER.		
	1841	1881	1901
Mud, with one room and window . . . . .	491,278	40,665	9,872
Two to four rooms and windows . . . . .	533,297	384,475	251,606
Good farm houses, and town houses with five to nine rooms and windows . . . . .	264,184	422,241	521,455
Better than above . . . . .	40,080	66,727	75,225
TOTAL . . . . .	<u>1,328,839</u>	<u>914,108</u>	<u>858,158</u>

Study of this table shows that although the total number of houses has decreased—a not unexpected fact when the amount of emigration is considered—there has been a big increase in the better-class houses, and that the falling off is wholly confined to the less desirable dwellings ; and there is every reason to believe that this year's Census will show even greater progress in the housing conditions of Ireland.

This improvement to some considerable extent in rural districts has been effected by the Labourers Acts. Under these measures the local authorities are enabled to borrow money, at  $3\frac{1}{4}$  per cent. interest and sinking fund, for the erection of cottages which are let at low rents to labourers. Between 1883 and 1906 some 21,500 cottages had been built. In 1906 a new Act was passed by which £4,250,000 was set aside for this purpose ; that sum was entirely allocated by 1910, and an additional £1,000,000 was promised. Altogether some 47,600 cottages have been authorised.<sup>1</sup>

<sup>1</sup> *Annual Report of Local Government Board, 1909-10, Cd. 5319.*



Perhaps an even more striking proof of progress is that afforded by the increased Irish deposits in the Post Office and Trustee Savings Banks:<sup>1</sup>

December 31.	Depositors.	Amount.
		£
1881 . . .	150,097	3,802,101
1896 . . .	350,887	8,334,993
1907 . . .	580,223	13,089,158
1909 . . .	631,716	13,894,000
1910 (June 30)	—	14,161,000

The above figures are for all Ireland, but the increase is not less striking in respect of the "congested" counties of Donegal, Sligo, Leitrim, Mayo, Roscommon, Galway, Clare, and Kerry.

	Depositors.	Amount.
		£
1881 . . .	10,847	297,220
1896 . . .	31,650	985,219
1907 . . .	59,675	1,936,143

From these figures it is clear that not only is poverty decreasing throughout Ireland, but conditions are improving in the congested districts. It is not true that the Union is making Ireland poorer, nor can it be maintained that increasing poverty produces lawlessness, since in some of the "congested" counties which are the most disturbed, savings have increased.

It is a fact worth recording—but perhaps too much insistence should not be placed upon it, since there are more opportunities for the small investor in Great Britain than in Ireland—that the amount due to each Irish depositor in the Post Office and Trustee Savings Banks is considerably above the

<sup>1</sup> *House of Commons Paper*, No. 119 of 1909; Cd. 5148 and Cd. 5462 of 1910.

average for Great Britain.<sup>1</sup> It may be claimed for these figures that they also show that the conditions are improving, and the people becoming more prosperous. Evidence from statistics always lacks the human touch; but in this case it has already been shown that the improvement in the condition of Ireland is confirmed by the glowing tributes of Nationalists themselves.

It is not without amusement that Unionists notice that the credit for every line of the remedial legislation is claimed by Irish Nationalists for the Irish Parliamentary Party. Except that it entirely contradicts their assertions that the present system of Irish government gives the Irish people no voice in their own affairs, and is productive of universal discontent and unrest, the Irish Nationalists may take as much credit as they desire for their share in this good work. The more they do, the less justification is there for Home Rule. For obvious reasons, they represent themselves to their paymasters as so forcefully demanding ameliorative measures that the British Government have unwillingly to assent. Though it is difficult to regard their assertions as accurately representing the actual situation, the matter is of little importance compared with this acknowledgment that the Irish people have received great benefits under the existing form of government. Without financial assistance from the Imperial Parliament the Acts would be inoperative—a point which Irish Nationalists do not dwell upon before their audiences.

Left to themselves it is indeed difficult to see how a Home Rule Government could hope to raise the money necessary to pay for these reforms. In an

<sup>1</sup> See *Statistical Abstract for the United Kingdom*, Cd. 5296, Tables 88 and 89. The figures for 1909 are: Post Office Savings Bank, Great Britain, £19 16s. 1d., Ireland, £29 19s. 11d. Trustee Savings Banks, Great Britain, £31 7s. 11d., Ireland, £45 7s. 6d. The same holds good over a period of years.

interview in the *Westminster Gazette*,<sup>1</sup> the Secretary of the United Irish League of Great Britain places the amount expended to 1903 at £164,525,000, and, with the additional sums which Mr. Birrell requires for land purchase, the total is well on the way to £250,000,000. Some millions have been in the nature of capital expenditure, the remainder, it is true, are loans to be repaid in the course of time. It is impossible to agree that a Home Rule Government could have financed these Acts without unduly burdening the Irish Exchequer. The Union has given Ireland the advantage of Imperial credit, and the strain even upon its vast resources has been so great as to involve it in difficulties. Could any one maintain that the credit of a Home Rule Government would have survived the ordeal?

Land purchase has already been dealt with, but concurrently with that policy, other remedial legislation has been passed with the object of improving Irish agricultural conditions. Of the measures for which British statesmen have been responsible, probably the two which have proved of the greatest benefit to Ireland are the Congested Districts clauses of the Irish Land Act of 1891, and the Agriculture and Technical Instruction Act, both the work of Unionist Governments.

Congestion in Ireland is a problem within a problem. Its causes are both historic and economic. The Cromwellian Settlement, the Penal Laws, the Great Famine, the Clearances, and the Repeal of the Corn Laws, have all influenced the conditions for the worse.<sup>2</sup> Alone, the land question would be sufficient to cause statesmen perplexity, but it is further complicated by the presence over a large part of the West of Ireland of congestion. By the term is not meant dense population, such as the word would indicate if applied to urban districts. A district may be

<sup>1</sup> September 16, 1907.

<sup>2</sup> See *Dudley Commission Report*, Cd. 4097, pars. 16-20.

sparsely peopled; but nevertheless congested, if the holdings are in the main too small and unproductive to support a family.<sup>1</sup> Along the sea coast mostly there is a fairly dense population in certain areas where the land is hardly capable of supporting any population at all; in other districts there is an excessive population on poor land, but adjacent to thinly populated districts of better land.<sup>2</sup> The problem is one of the condition of the people, and though, so far as locality is concerned, it mainly occurs in the West, yet it is present in other parts of Ireland.

Bog and mountain and waste in a large part, and the grazing farms which the cattle industry has produced, have prevented expansion of agricultural holdings; while the custom of subdividing has perpetuated and even intensified congestion. Forms of government are matters which leave the "congest" unmoved; even Land Purchase, the charter of the larger farmer, presupposes conditions which do not exist for the "congest," and well it is so, since purchase alone would only make remedies even more difficult to apply. Uneconomic though the farms would be if their small area were compact, they are rendered even less agriculturally efficient by the system of intermixed plots. "On many estates in the West, especially where the houses are clustered together in 'villages,' and where the people have been in occupation for generations, the land is held in 'rundale'—a survival, according to some authorities, of the old communal or tribal system of land-holding—and in other parts the people have subdivided the holdings from time to time in their own way, in consequence of which their holdings now consist of

<sup>1</sup> The Act of 1891 describes a Congested District as one in which more than twenty per cent. of people live in electoral divisions of which the total rateable value, when divided by the number of the population, gives a sum of less than thirty shillings for each person.

<sup>2</sup> *Dudley Commission Report*, Cd. 4097, par. 15.



intermixed plots. The result is that the farm of one tenant often consists not of one or two or even three separate portions of land, but of many detached plots within fenced fields, scattered amongst similar fragments of other holdings. A field of one acre may belong to a dozen persons, each of whom has a plot of his own while the land is under cultivation, and very frequently matters are still further complicated by various fractions of plots being held in 'undivided shares.' As might be expected under such conditions, agriculture is extremely backward in many places."<sup>1</sup> The scanty income has to be increased by such few methods as are open to the people. As migratory labourers they come to Great Britain to work in the fields during the busy times, returning after an absence of some five or six months with wages saved to the amount of £12 to £15 to carry them through the winter.<sup>2</sup> Along the coast fishing adds to the family income; and the kelp industry, though of far less importance than formerly, still gives employment. For the rest such home work as weaving, knitting, sewing and lacemaking offer opportunities to the industrious. Even with such auxiliary income life is little more than one long struggle against poverty. The conditions existing at the time of the formation of the Congested Districts Board can be gathered from a brief study of the twelve typical "Family Budgets" which the Board published in its first annual report. Omitting the value of the produce consumed by the family, the incomes were £48 3s. 4d.; £41; £38 19s. 10d.; £38 19s. 6d.; £36 10s. 10d.; £33 14s.; £32; £27 4s. 4d.; £23 8s. 7d.; £17; £9 16s.; £8 3s.<sup>3</sup> It must be

<sup>1</sup> *Dudley Commission Report*, Cd. 4097, par. 10.

<sup>2</sup> The numbers have shown a steady downward tendency in recent years. In 1909 approximately 20,500 agricultural labourers migrated temporarily to England and Scotland. Their savings in 1909 were estimated to amount to £225,000. (*Report of Irish Department of Agriculture on Irish Migratory Labour*, Cd. 5033 of 1910.)

<sup>3</sup> Cd. 6908 of 1893, Appendix C.

obvious that under such circumstances assistance to keep body and soul together is not unwelcome ; and the younger people, who in the absence of any demand for their labour seek an outlet in the United States, are accustomed to remit from the higher wages they obtain there money orders to help the old people and the family at home. The American remittances play an important part in the congested districts of Ireland ; but to assert, as Mr. Lloyd George did at Mile End, that they go as a matter of course every cent of them to pay the landlord his rent is a ridiculous and exaggerated platform gibe. Of the rents paid, for instance, in the case of the twelve families whose incomes have been given above, the highest is £7 ; one is £4 5s. (and in this case the county cess is included) ; one £4 ; two are £3 ; one £2 10s. ; one £2 ; two £1 10s. ; and two £1. Moreover under the rent-fixing clauses the rents in Connaught, where the poor districts are, have been reduced by 34·1 per cent. since 1881.<sup>1</sup> Rent therefore plays a small part in the tenant's expenditure, and it is clear that it does not alone render the remittances necessary. If the tenants lived rent free a standard of living could not be reached which would be satisfactory. The remittances, as evidence given before the Dudley Commission showed, go towards meeting the general cost of living. "Only for money we get from America we could not live on the land" said one witness, a small farmer, whose rent was £6 10s., and who admitted receiving "very often as much as £30 and £40 annually from America." He added : "There is not one in the townland that does not get very nearly as much, and some of them more."<sup>2</sup> "Without help from America," said another witness, "we could not live on a poor patch like that" ;<sup>3</sup> and a shopkeeper witness stated that he received about

<sup>1</sup> *House of Commons Paper*, No. 119 of 1909.

<sup>2</sup> *Minutes of Evidence*, Cd. 3748, Q. 29007-14.

<sup>3</sup> *Ibid.*, Q. 29117.

£200 at Christmas time from emigrants in America to pay off the debts of parents who had died at home.<sup>1</sup> No conditions exist in the districts to mitigate the prevailing depression. With the exception of the traders and a small official class, "nearly all the inhabitants are on one dead level of poverty."<sup>2</sup> The standard of living is low. "In the poorer districts the food consists largely of potatoes from harvest time until the spring, and of flour and Indian meal during the 'hungry' months, supplemented by bread and tea. Oatmeal seems to be little used; milk is scarce, and the diet is entirely vegetable, with the exception of salt fish at times, which is generally used more as a relish than as an ordinary article of food, or a little fat bacon used as 'kitchen.' Some beer and whisky, and a comparatively large amount of tobacco are used, whilst in many districts the consumption of tea seems excessive. Most of these articles may, however, be regarded as stimulants for a badly-fed population rather than as ordinary luxuries."<sup>3</sup> Can surprise be felt that emigration was largely resorted to? Indeed, until Mr. Balfour in 1891 presented an alternative policy it afforded the only means of escape from lifelong poverty and distress. The Board established to deal with the problem had to be free from the air of officialism and red tape with which the popular mind associates Government departments. Its composition and resources have already been dealt with.<sup>4</sup> So far as its work was concerned it had to be personal and human, and to create confidence among a backward people. Its activities have brought about "considerable permanent improvement" in the congested districts.<sup>5</sup> Its opera-

<sup>1</sup> Minutes of Evidence, Cd. 4007, Q. 52090-1.

<sup>2</sup> Mr. Mick's Evidence—*Royal Commission on Local Taxation*, vol. v., p. 126, Cd. 383 of 1900.

<sup>3</sup> *Dudley Commission Report*, Cd. 4097, par. 12.

<sup>4</sup> Chapter II., pp. 23-4.

<sup>5</sup> *Dudley Commission Report*, Cd. 4097, par. 21.

tions divide themselves into two distinct phases. Estates had to be purchased and resettled, and where necessary land had to be acquired for the enlargement of holdings. The work required to remove the old uneconomic conditions and produce holdings from which the tenants could be expected to gain a living is well illustrated by the case of Clare Island. When purchased "the greater part of the island was held in 'rundale,' and few tenants knew where their land or their rights began or ended. As there were no fences, the cattle and sheep roamed over the whole island, and when the crop was in the ground the tillage land had to be guarded against the incursions of the cattle by members of the tenants' families. Hence the first work undertaken was the building, at a cost of £1,600, of a stone wall, about five miles long, across the island, separating the cultivable land from the mountain grazing, and over fifty miles of fences were constructed running from the wall to the sea, partitioning the cultivable land amongst the tenants."<sup>1</sup> The work of land purchase and resettlement, which has now become its most important function, does not appear to have been contemplated upon any large scale when the Board was established; but without it the effectual relief of congestion was impossible, and amending Acts in subsequent years added considerably to its powers in this respect.<sup>2</sup>

Only in more recent years can the Board be said to have carried out resettlement and purchase on a large scale. The pace has not been rapid—and it is one of the complaints brought against the Board—but delays would appear to have been some

<sup>1</sup> *Dudley Commission Report*, Cd. 4097, par. 26.

"Their first Annual Report, for 1892, in enumerating their objects, only devoted six lines out of fifty-six pages to the subject of migration, while no less than eleven pages were dedicated to a report on the advantages of shipping the congested population out of the country altogether to Manitoba or Saskatchewan."—O'Brien, *Olive Branch in Ireland*, pp. 87, 88.



inevitable and some unexpected. Before the land could pass out of the hands of the Board considerable work was necessary. Fences and walls had to be built, land drained, houses and buildings erected; and generally the holding required thoroughly equipping for agricultural purposes. Unexpected delays were occasioned by obstacles to the Board's work. "Landless men" objected to the presence of "migrants" from congested districts; difficulty, the Board declared, was experienced in purchasing "untenanted" land, so necessary for the relief of congestion; and later, work was brought to a standstill by financial obligations which left the Board no money for improvement purposes. The size of the Board's operations may be gathered from the fact that it had at times over £1,000,000 worth of land on its hands and was by far the largest farmer in Ireland. By the Land Act of 1909 the work of land purchase and resettlement on a still more extensive scale is contemplated. That measure recast the composition of the Board and added to its income. The old definition of a congested district, which, while it allowed concentration upon certain districts, excluded estates which were universally admitted to be entitled to the term, was swept away, and a new statutory area was set up comprising the whole counties of Donegal, Sligo, Leitrim, Roscommon, Mayo, Galway and Kerry, and many parts of Clare and Cork. The position of the Board as a purchasing authority was further emphasised by endowing it with power of compulsory acquisition where it needed land for the relief of congestion. With these increased duties the Board enters upon a new phase of existence. In the minds of legislators it has proved its worth, and it now embarks upon a task of land settlement which will take many years to accomplish. Certainly, so far as the Unionist Party is concerned, its work will be followed with interest

and sympathy, for the initiation of the policy was a Unionist act.

Land settlement has not been the only activity of the Board. The regeneration of the congested districts required almost paternal interest. A knowledge of the science of agriculture was entirely lacking, and the Board from the beginning set out to instruct and demonstrate, with the object of developing agricultural conditions in its area. Indeed, expenditure under this head accounted for the larger part of the Board's income. Instructors taught and helped farmers to adopt better agricultural methods. Attention was given to the management of poultry, bee-keeping, and fruit culture. Assistance was given for the purchase of agricultural implements and good seeds. The advantages of potato-spraying were made known, and attempts were made to popularise it by the sale of machines below cost price. The necessity of breeding from good stock was emphasised and every opportunity was afforded to the farmers to improve the breed of their cattle. With the establishment of the Department of Agriculture complications ensued and there was overlapping and competition until the two bodies arrived at an agreement by which the new Department took over the duties of agricultural development, an arrangement which the Land Act of 1909 confirmed.

To improve the actual conditions of living the Board in 1897 established a system of small grants-in-aid administered through local committees. The bodies administering the funds are known as Parish Committees, and are composed of the local clergy, the guardians, the local magistrates and other persons suitable in the district. The recipients are strictly confined to occupiers of holdings of less than £7 valuation; and it is a condition precedent to giving any assistance that the manure-heap shall be removed to a safe distance, and cattle turned out

of the dwelling-house. Evidence before the Dudley Commission bore witness to the improvement effected in the conditions of living through these grants. They had infused a spirit of energy into the small holder. Thousands of houses which were unfit for human habitation, owing to cold, damp, earthen floors and fixed windows, have been made comfortable by the substitution of movable double-sash windows, and by the introduction of concrete floors in the kitchens and boarded floors in the bedrooms. Outhouses have been erected or enlarged for cattle under the same system. Altogether the grants have amounted to about one-fifth of the total cost; the tenants have themselves paid the remainder and have also carried out the work, before the completion of which no grant is made. Complaint is made that the system establishes a practice of "doles," and in fact pays people for what they should do of their own accord. Commenting upon this criticism, the Dudley Commission points out that it "does not take sufficient account of the miserable condition under which so many of the inhabitants of the congested districts have lived in the past, and under which many still live, and of the effect past wretchedness has had in stereotyping habits that would never have been formed under happier conditions. A stimulus and an encouragement that would be unnecessary, and even objectionable, in more favoured districts can be justified in many parts of the West of Ireland."<sup>1</sup> The Board anticipate that the system will merge into one of prizes for the best-kept houses, offices, and gardens, a practice largely prevailing in rural districts of Great Britain.

Mention has already been made of the industries by the help of which the "congest" supplements his income. To the inhabitants of the coastal counties, the sea affords a harvest of fish. The Board, how-

<sup>1</sup> *Dudley Commission Report*, Cd. 4097, par. 90.

ever, found the industry in a sad state of decline.<sup>1</sup> It set out to perform what was little less than the re-establishment of the fishery. Marine works, piers, and slips were constructed. Loans were granted for the purchase of boats, nets, and fishing-gear. Boats too were supplied on the share system. Instruction was given in fishing and in the care of nets. The inhabitants were encouraged to build boats and make barrels. Market facilities were developed, and at new fishing centres the Board frequently acted as buyers and curers until the prospects attracted private enterprise. Although the Board's efforts have not been entirely successful—the mackerel fishery off South Connemara being a failure—much good has been done, especially in respect of the herring fishery off Donegal. Nearly £60,000 was earned by the fishermen at the four principal fisheries during the year ending March 31, 1909—and the season was by no means a good one.<sup>2</sup> It will be readily understood that such an amount coming into a poor district makes a considerable difference to its condition; and the money to be spent has been added to by the earnings of the workers in the “cottage” industries. It has been the policy of the Board to pay great attention to their development; and it has had to play the part of instructor, adviser, and agent. The workers have had to be taught how to meet competitors, how to make the best use of their material, and how to follow up the requirements of the market. The homespun industry has received attention, but the Board's chief success has been the promotion of lace and crochet industries. Over seventy classes are held in different districts under the auspices of the Board, and from the sale of their output con-

<sup>1</sup> A review of the Irish fishing industry is given in the *Report of the Dudley Commission*, Cd. 4097, pars. 68-78.

<sup>2</sup> See *Eighteenth Report of the Congested Districts Board*, Cd. 4927 of 1909.



siderably over £20,000 a year is received. The Board too holds classes in cookery, laundry, and domestic economy, not only as a means of better fitting girls for domestic service, but to teach the people to manage their own homes with greater success.

A *résumé* of the operations of the Congested Districts Board can give but little real comprehension of the work it has performed in the congested counties. Photographs have been published in many books showing districts before and after they have received the attention of the Board's officials. They convey an idea of the transformation effected, and the evidence given earlier in the chapter is a tribute to the beneficial character of its work. Probably the only persons who are able fully to appreciate it are those who traversed the districts before 1891 and have recently revisited them. No one would maintain the Board was always successful. A proportion of its plans, being in the nature of experiments, was bound to fail. Then, too, its operations have been costly; and, as was natural, they could not be conducted with that strict regard for direct and immediate return which some people make the test of all expenditure. When all is said and done, however, it is impossible not to recognise that the Congested Districts Board emerged with credit from a prolonged and searching inquiry by a Royal Commission into its proceedings; and so far gained the approval of Parliament that it was given an extended area, a larger income, and greater powers with almost unanimous consent.

The same remarks apply to the work of the Department of Agriculture and Technical Instruction, which is, at any rate so far as the development of agricultural industries is concerned, analogous to the work of the Congested Districts Board. The establishment of that department was again the act of a Unionist Government, and with it the name of

Sir Horace Plunkett will be indissolubly associated. Indeed, State action formed only one portion of the programme he advocated. For the rest he depended—and as events have shown successfully—on the co-operation and efforts of Irishmen themselves. To deal with that portion of his programme which invoked State action alone, and without reference to the other side, would be to fail to give a correct account of his movement. The one was so dependent on the other for smooth working, particularly at the outset, that it is better to defer further reference until the next chapter. However vehemently the Home Rulers may deny it, the conclusion is unavoidable that the Irish policy of the Unionist Party has been, and is, to develop the resources of Ireland as an integral part of the United Kingdom, to the advancement of the prosperity and the betterment of her condition; and that this policy is of far more benefit than the Home Rule policy of constitutional change and unrest which would retard her industrial, agricultural, commercial, and material progress.

## CHAPTER XII

### THE OUTLOOK IN IRELAND

THE two previous chapters have shown a hopeful and progressing Ireland, assisted in its upward course by the direct action of the State. The transition, however, is not being effected only by the State working alone, but by the State acting in conjunction with private effort, and also by movements which are entirely the result of voluntary work.

The two forces of State and private action were successfully blended to produce and bring into operation that agricultural development which has done and is doing much to improve methods of agriculture and of agricultural organisation throughout Ireland. The changes in the land system have been replacing tenants by occupying owners, whose new status carries with it increased responsibilities and greater opportunities. Left to themselves they would not have shouldered the former or made the best use of the latter; and the success of land purchase would have been endangered. As far back as 1889 Sir Horace Plunkett started the co-operative movement in agriculture. In no way deterred by the open opposition and apathy with which it was received—fifty meetings were addressed before a single society was formed—he persevered in his propaganda, aided by the advice and financial assistance of English co-operators. There is little

reason to feel surprised at the attitude of the Irish people towards the new movement, based as it was upon the two principles, novel to Ireland, of recognising neither political nor religious differences, and of believing that Irishmen could help themselves instead of relying entirely upon the State to improve their conditions. By 1894, however, the movement had made sufficient progress to justify the formation of the Irish Agricultural Organisation Society as its representative body, entrusted with the task of forwarding the principles of agricultural co-operation.<sup>1</sup> The I. A. O. S. encourages the formation of societies of farmers to act in association in their industry, instead of individually. It has a staff of trained organisers to lay before the farmers the benefits of co-operation, and of experts to adopt the general principles to the special needs of the locality; and the Society, in an advisory capacity, keeps an eye on the welfare of the various societies. The movement has grown now to embrace some 96,000 members, with a trade turnover of something like £2,450,000. It comprised, in 1909, 301 dairy societies, 79 auxiliary creameries, 155 agricultural societies, 18 poultry societies, 234 agricultural credit banks, and 36 societies for miscellaneous purposes—for home industries, bacon curing, etc., and a number of trade federations, such as the Irish Agricultural Wholesale Society and the Irish Co-operative Agency Society. Twenty years' work has effected this position from a beginning of 50 members and a turnover of £4,500.<sup>2</sup> It is difficult to estimate the effect of this organised effort, whether upon the actual operations on the farm or in the direction of meeting the foreign competition of

<sup>1</sup> See Sir Horace Plunkett's *Ireland in the New Century*, for a full account of the movement, and a more recent pamphlet by the same author, *Plain Talks to Irish Farmers*.

<sup>2</sup> *The Irish Homestead*, November 26 and December 3, 1910—the weekly organ of the Irish co-operative movement.



dairy and farm produce in British markets. The extent to which Ireland is holding her own in British trade may however be appreciated from the position Irish exports occupy in British markets. In 1909 the value of the Irish exports of all classes of live stock was twice as large as the value imported into the United Kingdom from all foreign and colonial countries; Irish butter exports to Great Britain were second largest in quantity and value; Irish eggs occupied the same position: Irish bacon and hams were third; Irish poultry and potatoes first.<sup>1</sup>

The movement was not restricted to agricultural co-operation. Although Ireland was pre-eminently an agricultural country, she had no public department to look after the needs of that industry. Accordingly, in August 1895, a letter from Sir Horace Plunkett was published in the Press suggesting the formation of a committee, to meet during the Parliamentary recess (hence the name by which it is commonly known—"the Recess Committee"), consisting in the first place of Irish Members of Parliament, nominated by the leaders of the various Parties, who would co-opt other Irishmen whose qualifications would make their assistance valuable. The business of the proposed Committee was to endeavour to remove from the region of controversy certain economic legislation which Ireland needed but could not obtain under the conditions of Party warfare. Mr. Justin McCarthy, who led the larger body of Nationalists, declined to accept the invitation; Colonel Saunderson refused to be a colleague of Mr. John Redmond, who, as leader of the small party of "Independent" Home Rulers, agreed to co-operate. The idea, however, caught on in the country and a committee was formed composed of Unionists, Nationalists,

<sup>1</sup> *Report on Trade in Imports and Exports at Irish Ports, 1909*, Cd. 5354, p. 12.

business men of the North, the Grand Master of the Belfast Orangemen, and the Jesuit Father Thomas Finlay. The report proposed that a State Department should be created to deal with agriculture and industries, with a Minister directly responsible to Parliament.<sup>1</sup> Public opinion expressed itself in favour of the recommendations;<sup>2</sup> a representative deputation waited on the Lord Lieutenant, and in 1899 the Government introduced and passed into law a measure to establish a Department of Agriculture and Technical Instruction in Ireland.<sup>3</sup>

The powers and duties of this new public office deserve attention. The Chief Secretary is the nominal head, but the real head is the Vice-President, whom it was intended should be in Parliament, and responsible to Parliament for the Department, an arrangement which neither Party has followed out.<sup>4</sup> The Act gathered under one authority a number of institutions and administrative duties which were then undertaken by various departments, and gave to the new Department extended and fresh duties.<sup>5</sup> The important step

<sup>1</sup> The report was published on August 4, 1896.

<sup>2</sup> The official Nationalist attitude was that adopted by Mr. Dillon, M.P., who, in a speech at Toomebridge on November 3, 1896, described the proposals in the report as "preposterous," "idiotic," and "inadequate"; and as a "miserable, maimed, and wretched" substitute for Home Rule, put forward by the Unionists.

<sup>3</sup> For the story of the Recess Committee see Sir Horace Plunkett's *Ireland in the New Century*, chapter viii.

<sup>4</sup> Sir Horace Plunkett, the first Vice-President, was defeated in 1900. He, however, continued to hold office until April 1907, when he was replaced by Mr. T. W. Russell, M.P., the Government, according to Mr. Birrell, having decided that the office should in accordance with the original intention be held by a Member of the House of Commons and of the Administration. (*Parl. Deb.*, April 27, 1907, col. 166.) "From that view, and that intention," he added, "we do not intend in any way to depart." In January 1910 Mr. T. W. Russell lost his seat in Parliament; he continues, however, to hold the office of Vice-President.

<sup>5</sup> The following institutions were placed under the new Department: The Royal College of Science, the Museum of Science and Art, the Royal Botanical Gardens, the Albert Institution, the

was taken of associating with the Department representative men, with the intention of keeping in touch with public opinion. A Council of Agriculture was created, two-thirds of its members being appointed by the Irish County Councils and one-third by the Department. This body fulfils the function of an advisory, consultative, and deliberative assembly. Triennially it becomes an Electoral College, dividing into four Provincial Committees, for the election of two members each to serve on the Agricultural Board and one member each on the Board of Technical Instruction. To the Agricultural Board the Department appoints four members, to the Board of Technical Instruction the same number, the twenty-one members of this Board being made up of the representatives from local government bodies and the two Education Boards. The revenue of the Department is composed of a Parliamentary vote and of an Endowment Fund, the income from which amounts to £180,000 a year. The important powers enjoyed by the two Boards can be gathered from the fact that their concurrence is required to any expenditure from the Endowment Fund. A further provision to secure co-operation with local opinion gave the county and urban district councils power to appoint local committees for the purpose of carrying out the local work of the Department, but the financial assistance of the Department could not be given unless the local authorities themselves were prepared to contribute.

Elaborate though the constitution of the new Department is, it would have failed in its purpose

National Library, the Metropolitan School of Art, and the Geological Survey. The duties transferred from other Departments included veterinary duties from that branch of the Privy Council, fisheries, the collection of various agricultural and economic statistics, and the administration of the Science and Art and Technical Instruction grants.

had it been no more than an ordinary Government office. What it had to do in its agricultural work was to get out to the farmers and to gain their confidence, and to make them regard the Department as the one place to which they should apply for advice and instruction upon the difficulties which they experienced in their daily work on the land. That success has been attained may be gathered from the fact that the office is known throughout Ireland as "the Department," and the specimen letters and applications given in Sir Horace Plunkett's book are evidence that even the small farming class appreciate the existence of the Department in their trials.<sup>1</sup> In matters of agricultural education the Department, through classes in the larger centres and by means of itinerant instructors in the more sparsely populated districts, endeavours to reach and to teach not only the larger farmers and their sons, but also the small holder. The advantages of breeding from good stock have been impressed upon the farmers, and they are encouraged to improve their own stock. Instruction is given in butter-making, bee-keeping, and poultry-keeping. Experiments are made, and the results upon such questions as the effect of manures, calf-feeding, potato-spraying, creamery management, the cultivation of early potatoes, and other matters of agricultural interest are circulated, along with leaflets of advice upon insects, pests, and many other questions of agricultural interest. It is, in fact, almost impossible to convey to readers an idea of the many-sided activities of the Department in its endeavours to be of practical assistance to the farmers.

It was only natural that Sir Horace Plunkett, to whose advocacy and activities the existence of the Department was mainly due, should be the first Vice-President. The agricultural movement pro-

<sup>1</sup> *Ireland in the New Century*, pp. 247-56.



gressed, notwithstanding the opposition of local traders, who feared that the combination of farmers would injure their business, and of Irish Nationalist politicians, who were jealous of any new organisation, and especially disliked one which did not make Home Rule the be-all and end-all of its existence. To the latter Party Mr. Redmond was a recruit. With the responsibility attaching to the leadership of the Irish Parliamentary Party he repented of the former support he expressed by becoming a member of the "Recess" Committee. In October 1904, whilst in New York, he wrote "a word of warning" to Patrick Ford "with reference to an insidious attempt which I find is being made in America by officials and agents of the British Government to divert the minds of the friends of Ireland from the National movement under the pretence of promoting an industrial revival in Ireland." "I myself," he continued, "indeed, at one time, entertained some belief in the good intentions of Sir Horace Plunkett and his friends, but recent events have entirely undeceived me; and Sir Horace Plunkett's recent book, full as it is of undisguised contempt for the Irish race, makes it plain to me that the real object of the movement in question is to undermine the National Party and divert the minds of our people from Home Rule, which is the only thing that can ever lead to a real revival of Irish industries."<sup>1</sup> This strange opposition to a movement which did not seek to compete with or rival the activities of the Irish Nationalists anticipated support from the Liberal Party, and when a Liberal Government came into power Irish Nationalist hopes rose high. To their disappointment Sir Horace Plunkett continued to hold office, the new Government requesting him to carry on the duties of Vice-President as "a purely provisional

<sup>1</sup> Quoted in Sir Horace Plunkett's *Ireland in the New Century*, p. 310.

arrangement" in order to facilitate an inquiry that was to be instituted into the organisation and working of the Department and its relations to the other branches of Irish administration.<sup>1</sup> All the while Irish Nationalist jealousy of the movement continued to be displayed, Mr. Dillon declaring at Liverpool: "I know from my own knowledge that it is from top to bottom a machine to burst up and destroy the Nationalist Party and the National movement."<sup>2</sup> In April 1907 Irish Nationalist opposition could no longer be contained; a resolution was moved against the further continuance in office of Sir Horace Plunkett, and was accepted by the Government.<sup>3</sup> His successor, Mr. T. W. Russell, was an ex-Unionist who had reverted to his former Liberal opinions. His advent was the signal for a change in the relations between the Irish Agricultural Organisation Society and the Department of Agriculture. He announced his intention of withdrawing gradually the subsidy paid by the Department to the I.A.O.S. But the publication by Mr. Redmond of a letter written by Mr. T. W. Rolleston to a correspondent at St. Louis, enclosing a copy of a speech by Sir Horace Plunkett, and animadverting upon the antagonism displayed by the Parliamentarians to the co-operative movement, gave the Irish Nationalists an excuse to renew their campaign against the I.A.O.S.<sup>4</sup> Although Sir Horace Plunkett had nothing whatever to do with the letter, Mr. T. W. Russell used the occasion suddenly to withdraw the subsidy altogether, declaring afterwards to a Committee of the House of Lords that Mr. Redmond had made his action "imperative."<sup>5</sup>

<sup>1</sup> See Chief Secretary's letter to Sir Horace Plunkett, quoted by Mr. Birrell in the House of Commons, April 24, 1907, *Parliamentary Debates*, cols. 161-2.

<sup>2</sup> *Freeman's Journal*, November 12, 1906.

<sup>3</sup> *Parliamentary Debates*, April 24, 1907.

<sup>4</sup> *Freeman's Journal*, January 21, 1908.

<sup>5</sup> Sir Horace Plunkett, *Plain Talks to Irish Farmers*, p. 35.

The acts of hostility on the part of the Vice-President included the removal of the Secretary of the I.A.O.S. from the Council of Agriculture; and, in his capacity as a member of the Congested Districts Board, when a deputation of the I.A.O.S. waited upon the Board to discuss the question of extending agricultural organisation and credit banks in the Congested Districts, he took the opportunity of attacking the credit banks of the I.A.O.S., alleging that they were utterly rotten concerns, which if wound up would not pay 2s. 6d. in the £.<sup>1</sup> The spirit which actuated Mr. T. W. Russell in his relations with the I.A.O.S. was in accord with that displayed by the Irish Nationalists. The tone of their speeches and the nature of their questions upon matters affecting the Society showed that their determination to smash the movement, if possible, was as strong as ever. Mr. Dillon, indeed, tried to get the Development Fund Bill amended in Committee, so that the I.A.O.S. should not receive any assistance from that source.<sup>2</sup> This sorry record of opposition to a movement which has for its sole object the improvement of Irish conditions has done it no harm. The unjust and bitter nature of the criticisms drew public attention to the movement, and won for it support and assistance from many quarters, none probably more welcome than the expressions of approval from the Chambers of Commerce of Dublin and Belfast. The experiences of the Society show the difficulties to be encountered in Ireland by any movement which seeks to work outside politics and to enlist the sympathies of all parties irrespective of political opinions. A society similar to the I.A.O.S. exists in England. It has the assistance of men of all political views. They

<sup>1</sup> See correspondence in Irish papers, June 4 and 25, 1910, and *Parliamentary Debates*, July 7, 1910.

<sup>2</sup> See his speech, *Parliamentary Debates*, October 7, 1909, cols. 2239-40.

co-operate in helping forward its objects without attributing to it a desire to undermine the one party or assist the other. Within the I.A.O.S. there is the same co-operation, but it will have been seen that it has only been secured in spite of the efforts of the Irish Nationalist leaders, who have allowed no opportunity to pass which gave them a chance of placing obstacles in the way of the progress of the movement. The fact is that they measure every Irish organisation by its activities for Home Rule: any movement which sets out to work for Irish progress without recognising that Home Rule is first must be opposed. Their attitude is perfectly consistent. They are accustomed to attribute every ill to the want of Home Rule; and they fear that if some should be cured by an independent movement, the accuracy of their assertion would be questioned, and the efficacy of their cure doubted—a correct anticipation of a feeling which is spreading in Ireland.

The principle of “self-help” made popular by the I.A.O.S. has proved remarkably successful in a movement which, under the name of Industrial Development Associations, was started some seven years ago to promote and foster Irish manufactures and industries. While, in some degree at any rate, it is akin to the principle of an “Irish-Ireland” that underlies “Sinn Fein” and the Gaelic League, it is as popular in Belfast as it is in Dublin and Cork. It has so far escaped the pitfalls of political association, and men of all creeds and opinions are working together to the one end of securing publicity for Irish industries. They found throughout Ireland at the beginning of their campaign a remarkable ignorance of the articles Irish manufacturers produced and a current prejudice that goods of Irish make were of an inferior quality or much dearer than the same articles made elsewhere. To dispel this ignorance and overcome



this prejudice was the task before the promoters of the industrial movement. Apart from their own personal example in buying Irish goods, they set out to persuade the buyers of Irish wholesale houses, the retail shopkeepers, and their customers to purchase home-made articles. Local public bodies were asked to give contracts to Irish manufacturers, and they offered their services and the information in their possession to guide the Boards and the Councils to the best Irish makers of the articles that were required. A directory of Irish manufacturers was prepared and extensively circulated, and a not less useful directory of makers of domestic articles—jam, soap, matches, and such-like—was compiled for household distribution. An Irish trade-mark was registered for distinguishing Irish-made goods, and has been adopted by about five hundred Irish manufacturers. The ordinary methods of propaganda, such as public meetings, conferences, and the distribution of popularly written literature, were also used. Big exhibitions of Irish-made goods have been held in such large industrial centres as Cork and Belfast; and this method of publicity has been carried out on a smaller scale throughout the country at agricultural shows and Gaelic League gatherings. Particularly effective in promoting the interests of the movement has been the "Irish shopping week," when the principal tradesmen in the more populous centres have agreed to exhibit only Irish-made goods in their windows. The movement has expanded beyond Ireland, and many requests for information respecting Irish manufactures have been received from abroad. Perhaps, however, the best tribute to the effectiveness of the campaign is to be found in the fact that the Associations have been compelled to prosecute many unscrupulous tradesmen for falsely describing goods as "Irish-made" in their desire

to take advantage of the demand for those articles.

This movement is genuinely a national movement, since it comprises Irishmen of all political and religious convictions, and it is impossible not to see in it and in the movement for agricultural co-operation clear evidence that public opinion in Ireland is getting out of the old groove. The old official Nationalist doctrine that Ireland must be content to suffer until Home Rule is granted is being questioned and flouted. The men at the back of these new movements, many of them still Home Rulers, have displaced Home Rule from its solitary pedestal. They are no longer men of one opinion, but they have relegated Home Rule to a more lowly position, believing that Ireland can to a large extent help herself to become more prosperous. The official Irish Nationalists regard such views as heresy. They oppose all movements, even the Gaelic League, which decline to worship always and only at the Home Rule shrine; they do it cautiously, for they recognise that some day their idol may be cast down and the new belief triumphant. That such economic movements should have increased and multiplied their adherents in a country where natural disposition and every legal and illegal inducement encourages a continuance on the old lines, is proof of the new feeling throughout the country. It may be attributed in the rural districts to the policy of land purchase. Tenants become owners, and take upon themselves a new outlook. In the towns the men who are identified with the new movement question the old political cry, and have sought an outlet for their energies in work which appeals as much to Ireland's national instincts as Home Rule, and, as they believe, promises greater and more immediate results. Not only are many of the grievances which formerly made Irishmen Home Rulers passing away, but

their last hours are being hastened by the Imperial Treasury—evidence that Great Britain offers no blank policy of negation to Irish needs. The grand juries have vanished, and in all local government matters Ireland is on an equality with Great Britain; the hunger for land is being satisfied by peasant proprietorship under the credit of the Imperial Exchequer; the distress of the Western congested districts is being lightened and removed at an expense which Ireland by herself would find it difficult to meet; the old people find their poverty assuaged by the old age pensions paid out of the Imperial Exchequer; and the complaint that Roman Catholics were denied a university education has been removed by the establishment of a University, largely out of public funds, at which they have the sanction of their Church to attend. All these grievances, when they existed, were arguments for Home Rule. Their removal weakens the Nationalist demand. Mr. Redmond claims credit sometimes for bringing it about. If he wants that view accepted, then he and his party have killed the policy they were formed to advocate. Mr. Redmond may declare that Home Rule is now the last grievance to be remedied. The fact is that the sum-total of all the grievances was Home Rule; and as they vanished so the practical arguments for Home Rule also disappeared. The Prime Minister is himself a convert to this doctrine, arguing that the remedial legislation of the Imperial Parliament and the cost of carrying it out had made the old demand for Separation impossible.<sup>1</sup> Liberal Home Rulers to-day, as it has already been pointed out, in many cases admit the force of the contention that is put forward, for they support Home Rule for Ireland not, as of old, as a just concession to Irish demands, but as a measure of relief to the overworked Imperial Parliament. A moment's

<sup>1</sup> St. Andrews, December 7, 1910.

thought will serve to reveal the significance of this altered argument. It is a justification of Unionist policy towards Ireland, since it carries with it the admission that Ireland does not require Home Rule to remedy her grievances, but that the policy is necessary only in the interests of the Imperial Parliament. That changes are required in the conduct of business at Westminster is a question which Unionists are perfectly prepared to argue with their opponents; but they are not ready to admit that it can be argued upon the same grounds which were brought forward in support of Gladstonian Home Rule. Federalism has nothing to do with Parnellite Home Rule, which forms Mr. Redmond's policy. While Mr. Asquith admits that recent legislation has influenced the Home Rule question in the direction of modifying the character of what can be granted, Mr. Redmond declines to recognise any change. He "stands where Parnell stood"; and to Mr. Asquith and others who suggest that the remedial legislation and pledged credit of the Imperial Parliament for Irish affairs have altered the situation, he declares, "Ireland would prefer rags and poverty rather than surrender her national spirit."<sup>1</sup> To point out this bed-rock divergence in the reasons which move Liberal Home Rulers and Irish Home Rulers to support Home Rule is one of the duties of Unionists. It is their duty, too, to emphasise the admission that the Unionist policy towards Ireland has removed her grievances and is bringing prosperity and contentment to the country.

Their last point is to insist upon the harm to Ireland by granting the demands of the Parnellite Home Rulers at a moment when the country is witnessing the rise and growth of new thoughts

<sup>1</sup> At Buffalo, September 27, 1910; see *Freeman's Journal*, October 13, 1910.



and new movements which have for their object the regeneration of Ireland by Irishmen themselves.

Ireland is not now at the summit of a successful national movement for Home Rule, but is passing through a period of transition from which a "new Ireland" seems likely to emerge, out of sympathy with the ideals of the Parnellite Home Rulers. At the period of their waning influence what can be more inopportune, or less calculated to further national progress, than the Liberal policy of installing them in power at Dublin with all the pomp and authority of a victorious Party? To do so will be again to make predominant in Ireland the policy of hate and agitation, and to check the progress of the new movements, which no man can maintain are not advocated by those who are sincerely desirous of assisting Ireland's progress and welfare.



# INDEX

- Absenteeism, 144 *note*
- Agricultural co-operation, 239-41, 245-8
- Agriculture, Dept. of, 15, 242-8
- All-for-Ireland League, 122
- American remittances, 230-1
- Ancient Order of Hibernians (Board of Erin), clerical toleration, 119-20; constitution, 117-23; future, 122-3; Great Britain, branches there, 132; Logue, Cardinal, criticises, 120 *note*; quarrel with A.O.H. of America, 138; Separatist aims, 57; U.I.L., relations with, 117, 120-1
- Ancient Order of Hibernians of America, 138-9; assists Gaelic League, 127; Separatist aims, 139 *note*
- Anglo-American Alliance, 140
- Arms Act, 168-71
- Arrears Act, 190-1
- Ashbourne Acts, 193-4
- Asquith, H. H., M.P., Albert Hall speech, 4 *note*; Home Rule, 5, 9, 10, 80; Supremacy of Imperial Parliament, 48
- Balfour, A. J., M.P., Irish land system, 177 *note*
- Belfast, 89-90
- Bessborough Commission, 187
- Birrell, A., M.P., cattle-driving, 154-7; Crimes Act, 156-7, 164; Irish administrators' efficiency, 31
- Bonus, 201, 210
- Boycotting, 143-4
- Boyle, D., M.P., Independence, 60
- Bright Clauses, 176 *note*; 182-3
- Bryce, J., M.P., condition of Ireland, 146 *note*
- Canada and self-government, 84; *Irish World* advocates joining U.S.A., 84 *note*
- Cattle-driving, 153-8, 207-8, 211; failure of law against, 154-5; Crimes Act not used against, 163-4
- Change of venue, 165
- Chicago Citizen*, 134 *note*
- Chief Secretary for Ireland, 15, 17, 18
- Clan-na-Gael, 139; relations with Gaelic League, 127
- "Coercion," 156-67
- Colonial opinion, 77-8
- Colonial self-government, 75-84
- Compulsory purchase, 206, 211-12
- Condition of Ireland improved, 221-38
- Condon, Captain, on Irish conditions, 231
- Congested Districts, 23, 227-38
- Cowper Commission, 194
- Crewe, Lord, Colonial self-government different from Irish Home Rule, 83
- Crimes Act, 1882, 160-6

Crimes Act, 1887, 160-7; Birrell, A., M.P., on, 156-7, 164; effectiveness, 159-60; Nationalist opinion, 157-9; provisions against cattle-drivers, 163-4

Cumaan-na-Gadhael, 129

Daughters of Erin, 129

Davitt, M., local government, 101; "new departure," 142-3, 185-6

Deasy's Act, 176

Devlin, J., M.P., Home Rule, 56-7; "physical force," 56, 64; Separation, 64

Devon Commission, 173-4

Devoy, John, 139

Dillon, John, M.P., Land Act, 1903, 205; local government, 102

Disturbance, compensation for, 179-80

"Dublin Castle" government, 12

Dudley Commission, 149-50, 192, 227-9, 231-2, 235-6

Dungannon Club, 129

Education, intermediate, 22; primary, 19-22

Edward III., Act of, 154-5

Eleven months system, 206  
*note*

Emigration, 217-21

"English-managed" estates, 173  
*note*

Equipment of farms, 173-4

Estates commissioners, 24, 201

Evicted tenants, Nationalist opposition to restoration, 148-9

"Eviction-made-easy" clause, 194  
*note*

Excess stock, 204

Fair rent clauses, 187, 189-92, 194

Federalism, 78-83

Fixity of Tenure, 187-8

Ford, Patrick, 84 *note*, 135-8

Forty-shilling freeholder, 175

Free sale, 188

*Freeman's Journal*, local government, 102

Fry Commission, 192

"Future tenants," 189 *note*

*Gaelic American*, 139

Gaelic Athletic Association, 124

Gaelic League, 125; American assistance, 127; relations with Nationalists, 125; Separatist tendencies, 125-6

Gladstone, W. E., Imperial and Irish questions, 69 *note*; Irish landlords, 178

Grattan's Parliament and "coercion," 157 *note*

Graziers, campaign against: *see* Cattle-driving

Guarantee Fund, 195-6, 202-4

Haldane, R.B., M.P., Supremacy of Imperial Parliament, 51

Hall case, 151-3

Hibernian Australasian Catholic Benefit Society, 132 *note*

*Hibernian Journal*, 57

Home Rule, British question, 66-7; demand weakening, 114-7; effect of Budget, 3, 6; effect on capital, 215-16; finance, 36-41; meaning, 42-65; opposition to, reasons, 91-108, strength, 85-91

Home-Rule-all-round, 79-80

Home Rule Bill, 1893, 44-47

Housing, 233-4

Improvements, 173-4, 180

"In-and-out" policy, 69-74

Industrial development movement, 248-50

Intermediate Education Board, 22

Irish Agricultural Organisation Society, 239-41, 245-8



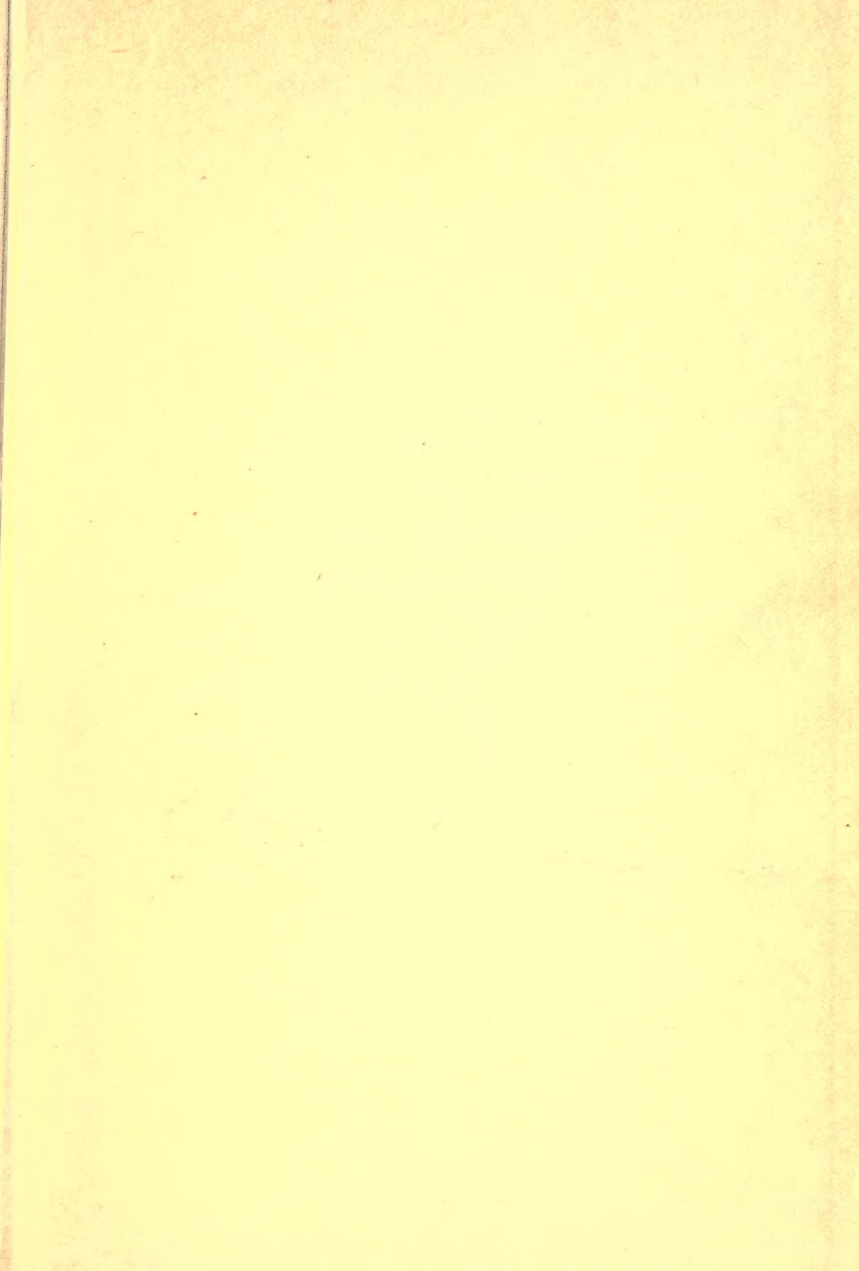
- Irish-American organisations,  
132-41; Press, 84 *note*, 134-  
41; subscriptions, 115-7,  
133-5
- Irish Church Act, 1869, 176  
*note*
- Irish Council Bill, 2, 21, 36
- Irish County Councils, General  
Council of, 106
- Irish Government, cost, 27-41;  
efficiency, 31-2; important  
offices, 17; independent de-  
partments, 14-8; popular  
control, 27-34; system, 12-  
26; U.I.L. real governors,  
28
- Irish Land and Labour Associa-  
tion, 130
- Irish National Foresters, 132
- Irish Parliamentary Party,  
110
- Irish Peasant*, 129 *note*
- Irish questions, difficulty of  
decision, 69 *note*
- Irish representatives in Imperial  
Parliament, 68-75
- Irish World*, 84 *note*, 135-8
- Kettle, Prof., Separation, 63-4
- Labourers Acts, 224
- Land Acts, 1870, 179-84; 1881,  
187-93; 1885-8, 193-4; 1887,  
194; 1891, 195-6; 1896,  
196; 1903, 199-209, 214;  
1909, 209-14, 233-4
- Land Commission, 24
- Land Conference, 198-9
- Land Purchase, 176 *note*, 182-3,  
188, 193-6, 199-214; effect  
on Nationalist Party, 115-7;  
local obstacles to settlement,  
147-53
- Land questions, 172-214
- Landlords struck at for Home  
Rule, 185 *note*; undeservedly  
abused, 176-9
- Law, failure of, 154-5, 161-2
- Law and order, 142-71
- Lawlessness, changed character,  
147-8; cost, 167; increased  
under Liberal Government,  
145-6
- Liberal Party, Arms Act, 168-  
71; cattle-driving, 153-7;  
"coercion," 156-8; Home  
Rule, 1, 42-4, 62-3, 80;  
Irish lawlessness, 145-6
- Local government, 28; position  
of minority, 100-6; U.I.L.  
control, 101-7
- Logue, Cardinal, criticises A.O.H.  
120 *note*
- Lord Lieutenant of Ireland, 13
- Malicious injury awards, 167
- "Migrants," opposition to, 149-  
51
- Minority in Ireland under Home  
Rule, 91-108; local govern-  
ment, excluded from, 100-6;  
Redmond's "strong hand"  
speech, 96; religious fears,  
92-5; strength, 85-91
- Molly Maguires: *see* Ancient  
Order of Hibernians
- Morley Committee, 192
- National Convention, 111
- National Directory, 111
- National Education Board, 19-  
22
- Nationalist Party, agrarian re-  
form means to Home Rule,  
185-6; agricultural move-  
ment, 241, 245-8; bankrupt  
without American assistance,  
115-7; cattle-driving, 156;  
clerical influence, 193; con-  
dition of Ireland, improve-  
ment acknowledged, 221-3,  
226-7; efforts blessed by  
Papal Legate, 92 *note*; Home  
Rule declarations, 52-65; in-  
dustrial development move-  
ment, 248-50; internal feuds,  
97-100, 110; land question,  
189-90; 204-9; 212-4; law-

- lessness, 143-71; loyalty when in British dominions, 82-3; minorities treated oppressively, 97-100; organisations, 109-41; Separation, 56-65
- Nationality, doctrine of, 52, 63, 75
- "New departure," 142-3, 185-6
- Nonconformists in England, views on Roman Catholicism, 94-5
- Nonconformists in Ireland: *see* Minority in Ireland
- O'Brien, W., M.P., local government, 101; treatment by Nationalist majority, 99-100
- O'Connor, T. P., M.P., Imperialist speeches, 8, 82; Liberals "coercionists," 158 *note*; Separation, 60-1
- Parish committees, 234
- Parnell, C. S., M.P., boycotting, 143; Ennis speech, 143; Home Rule through agrarian reform, 185 *note*; "last link" speech, 58; Separation, 58
- Parnell Commission on boycotting, 144-5
- Peace Preservation Act, 168-71
- "Physical force," 56, 64, 135-8
- Plunkett, Sir Horace, 239-42, 246-8
- Police, extra, cost of, 167
- Protestants. *See* Minority in Ireland
- Public Works Board, 25
- Recess Committee, 241-2
- Redmond, John, M.P., agricultural movement, 241, 245-6; Asquith, H. H., M.P., Albert Hall speech, 4, 6; Birrell, A., M.P., a "coercionist," 158; cattle-driving, 156; colonial self-government, 81-2; condition of Ireland, 222-3; "extremists," 123, 135; Ford, Patrick, thanked, 135; Home Rule, "all well with," 10; Home-Rule-all-round, 79; Home Rule Bill, 1893, 44; Irish Council Bill, financial proposals, 36; local government, 101-2; moderate speeches, 62; Nationalist Party "bankrupt," 116; Plunkett, Sir Horace, attacked, 241, 245-6; Separation, 56, 59-60, 64; "strong hand" speech, 96; supremacy of Imperial Parliament, 48-51; toleration, 101-2; U.I.L. govern Ireland, 28; United States speeches, 7
- Redmond, W., M.P., Nationalist oppression, 97
- Richmond Commission, 186
- Rolleston letter, 246
- Roman Catholic Church, activity at elections, 93; attitude towards A.O.H., 119-20; U.I.L. influence in, 92, 112; views of British Nonconformists, 94-5
- Runciman Committee, 204
- Russell, T. W., 242 *note*, 246-7
- Savings Banks, increased deposits, 225-8
- Scottish Law and Crimes Act, 160-7
- Separation, Liberal attitude, 62; Nationalist position, 52-65, 136
- Shaw Taylor, Captain, suggests Land Conference, 198
- Shooting outrages, 169-70
- Sinn Fein, 127-8; Nationalist opposition, 128; Separation, 127
- Sullivan, A. M., Irish landlords, 177-8
- Supremacy of Imperial Parliament, 48-52, 73-5

- Tenant Right Bill, 175
- "Three F's," 184, 187-8
- Timmins, Dr., Ireland's improved condition, 221
- Toleration for minority, 101-8
- Town Tenants League, 130-1
- Treasury, position of, 16, 25
- Ulster Custom, 180-2
- Ulster Question: *see* Minority in Ireland
- United Irish League, 113-15; A.O.H., relations with, 117, 120-1; "black lists," 113; clerical influence, 92, 112; constitution, 111-13; governs Ireland, 28; local government controlled by, 102-7; "migrants" opposed, 149-50; "physical force," 64, 136; Separation, 64, 136; unrepresentative character, 88
- United Irish League of America, 115-17, 133-5
- United Irish League of Great Britain, 132
- Unlawful assembly, Crimes Act provisions, 163-4
- "Untenanted land," 206-8
- Wyndham Act, 199-209
- Young Ireland Society, 130
- Zones, 200, 206, 211-2









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